JOURNAL

OF THE

House of Representatives

OF THE

STATE OF ALABAMA

REGULAR SESSION OF 1969

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 6, 1969

Vol. I

WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA

REGULAR SESSION OF 1969

FIRST DAY

Montgomery, Tuesday, May 6, 1969
State Capitol of Alabama

JOURNAL

of the House of Representatives of the State of Alabama, of the Regular Session of 1969, begun and held at the Capitol in the City of Montgomery, State of Alabama, on the first Tuesday in May, 1969, being the sixth day of the month in the Year of Our Lord, One Thousand Nine Hundred and Sixty-Nine, at 12 o'clock, M., on which day, the day fixed by law for the meeting of the Legislature of Alabama,was called to order by Honorable Rankin Fite, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by the Reverend W. H. Swearingen, Pastor, Friendship Baptist Church, Grady, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cook (Coffee)	Harris	Mays
Adwell	Cook (Jefferson)	Haygood	McCorquodale
Agee	Crane	Headley	McDonald
Bank	Crawford	Higginbotham	McElhaney
Bassett	Culver	Hill	McLain
Beck	Dill	Hobbie	Meade
Berryman (R)	Doss	Holladay	Meeks
Berryman (W)	Drake	Holman	Melton
Blanton	Edington	House	Merrill
Bolton	Ellis	Jackson (F)	Money
Bowers	Fine	Jackson (T)	Nettles
Brannan	Foshee	Jones	Neville
Brassell	Gafford	Kilgore	Owen (Baldwin)
Brown	Garrett	Laxson	Owens (W)
Burgess	Gloor	Lemley	Owens (W.E.)
Burgreen	Graham	Lybrand	Pearson
Cameron	Grainger	Lyons	Pennington
Cherner	Grayson	Malone	Perloff
Collier	Hair	Manley	Pruitt
Collins (C)	Hardin	Marr	Robertson
Collins (W)	Harper	Mathews	Sessions

Shumate	Starnes	Turnham	Wood	
Slate	Steagall	Waggoner	Wright	
Smith	Stembridge	Watkins	Yeilding	
Snell	Stubbs	Weeks	Young	
Springer	Tuck	Williams		—103

A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Neville:

H. J. R. 1. WHEREAS, the coming of tomorrow, May 7, 1969, marks the first anniversary of the death of the beloved former Governor of the State of Alabama, Lurleen Burns Wallace, and

WHEREAS, this Legislature wishes to pay appropriate tribute and respect to the memory of this great lady and devoted servant of the people of the State of Alabama, and

WHEREAS, her love and compassion for the people of Alabama was only exceeded by the self-same love and affection returned by them to her, and

WHEREAS, her works and deeds during her lifetime have left eternal monuments to her memory in the minds and hearts of all Alabamians, and

WHEREAS, this Legislature is ever mindful of her appearance before this body and of the programs and proposals sponsored by her on behalf of our less fortunate fellowmen, and

WHEREAS, seeking an appropriate means whereby to eulogize her memory on this occasion we do deem the recent address of the Honorable T. B. Hill, Jr., imminent lawyer and citizen of the state, delivered before the annual convention of the National Guard Association of Alabama to be a most eloquent and appealing memorial to her life and actions, such address being in words and form as follows:

EULOGY OF GOVERNOR LURLEEN BURNS WALLACE

Delivered by Thomas B. Hill, Jr., April 13, 1969
At Annual Meeting of Alabama National Guard Association

General Hardin, Members of the National Guard Association of Alabama, Ladies and Gentlemen:

You have conferred upon me a deeply appreciated privilege and a cherished honor, by your invitation extended to me to be with you on this occasion, and to eulogize the memory of your late Commander-in-Chief, the revered and lamented Governor Lurleen Burns Wallace.

She has been gone from us now almost a year, but all of us recall, I am sure, the fateful morning of her departure, the 7th day of May, 1968, when it seemed as if a pall of quiescent sorrow had settled like a cloud over our beloved State. I cannot recall any occasion which generated a more universal atmosphere of grief and sadness among our people than did the announcement of her pass-

ing. Seemingly from every lip came, in hushed and muffled tones, the sad exclamation: "Governor Lurleen is dead".

To those of us who had known her, either personally, or through her activities as Chief Executive of our State, and who had come to admire and respect her, as did all with whom she came in contact, it seemed incredible that she had passed from us forever, that no more would we be privileged to see her sweet and smiling countenance or hear her learned and discerning dissertations and discussions of matters of vital interest to our people and our State; we could not bring ourselves to believe that she had "left the shore touched by the mysterious sea that never yet has borne on any wave the image of a homeward sail." And, as the shock of the heart-rending news of her death permeated into the far corners and regions of our State, and our people were awakened to the full realization of the tragic loss we had sustained in her untimely death, the great human heart of Alabama was weeping for one of its finest and best-loved citizens.

Lurleen Burns Wallace was born in Tuscaloosa County, Alabama, on September 19, 1926, the daughter of Estelle B. and Henry Morgan Burns. Her parents were of modest means, and little did they realize that they had on that day brought forth a daughter who would one day reflect great honor upon them, reach the pinnacle of political success as the first member of her sex to occupy the exalted office of Governor of Alabama, and upon her passing leave in the minds and hearts of her people in Alabama a cherished memory which would be the envy of all men.

She received her elementary and primary education in the public schools of Tuscaloosa County. She graduated from Tuscaloosa Business College in 1942, and on May 22, 1943, she became the bride of a young law student who was destined to become a great and steadfast American, George Corley Wallace of Alabama. There are four children of that union, Bobbie Jo (Parsons), Peggy Sue, George Corley, Jr., and Janie Lee. It was not alone as Chief Executive of our State but, also, her role as wife and mother that truly qualified her for the title of Alabama's First Lady. To the amazement and consternation of her political opposition and detractors, who, in their efforts to defeat her in her race for the Governorship, proclaimed long and loud that she would provide no leadership as Governor of the State, she responded to their jeers and mockery by displaying tremendous qualities of leadership and statesmanship. Her speeches and addresses to the Legislature and to the people of Alabama over radio and television demonstrated a broad and comprehensive understanding of the affairs of state; and, they were delivered in a gracious and convincing manner, confounding her opposition and earning in her own right universal admiration and respect for her capability.

Her meteoric rise from housewife to the Governorship of Alabama is a true exemplification of one of the facets that has made America the great nation that it is today, by demonstrating that no goal or objective is beyond the reach of any private citizen of this land who has the will and determination to achieve it.

And then, without warning, she was stricken with a recurrence of the malignancy which had appeared several years earlier, and from which she had been assured there had been a full and com-

plete recovery. She bore with great courage and fortitude the severe and painful surgery and subsequent treatments which it was hoped, though in vain, would effectively eliminate the dreadful disease. But, the long struggle against the inexorable advances of the insidious and mortal malady was more than she could bear. She did not falter or repine; and, when the pallid messenger with the inverted torch beckoned her to depart, she bravely and courageously passed into the Undiscovered Country. The fight had been long and arduous, and it had taken a terrific toll of her physical strength and vigor; and, I am sure that, as she lay there, in the peace and quiet of imminent and impending death, her thoughts were those so beautifully expressed by Robert W. Service, when he said:

"Master, I've filled my contract, wrought in Thy many lands; not by my sins wilt Thou judge me, but by the work of my hands. Master, I've done Thy bidding, and the light is low in the West; And the long, long shift is over. Master, I've earned it, rest."

In these troublous times, when we are living so fast and furiously, we give little thought or heed to the perplexing mysteries of life and death. It is only when we are suddenly stricken by the departure from our midst of one who is near and dear to us that we pause to think, and ask the question: "What is life, and what is this thing called death?"

I believe it was Ingersoll who defined life as:

"A narrow vale between the cold and barren peaks of two eternities. We strive in vain to look beyond the heights. We cry aloud, and the only answer is the echo of our wailing cry. From the voiceless lips of the unreplying dead, there comes no word; but, in the night of death, hope sees a star and listening love can hear the rustle of a wing."

And, in our sorrow, there comes to mind the question so beautifully expressed by Senator Ingalls in his eulogy of Senator Ben Hill of Georgia, which, with slight paraphrasing, we might well and appropriately apply to the passing of Governor Lurleen Wallace:

"Whether her going thither was but one step across an imperceptible frontier, or whether an interminable ocean, black, unfluctuating, and voiceless, stretches between these earthly coasts and those invisible shores,—and we do not know.

Whether on that May morning after death she saw a more glorious sunrise with unimaginable splendor above a celestial horizon, or whether her apathetic and unconscious ashes still sleep in cold obstruction and insensible oblivion,—and we do not know.

Whether her strong and capable, but gracious energies found instant exercise in another arena, or whether her powers were dissipated and dispersed with her parting breath—we do not know.

These are the unsolved, the insoluble problems of mortal life and human destiny which prompted the troubled patriarch of old to ask that momentous question, for which the centuries have given no answer: "If a man die, shall he live again?"

And, as we blindly seek an answer to the seemingly insoluble question, we derive much comfort from the thoughts and observations of the Great Commoner, William Jennings Bryan, in one of his lectures on immortality:

"If the Father deigns to touch, with Divine Power, the cold and pulseless heart of the buried acorn to make it burst forth from its prison walls, will He leave neglected in the earth, the soul of man, made in the image of his Creator? If He stoops to give the rosebush, whose withered blossoms float upon the autumn breeze, the sweet assurance of another springtime, will He refuse the words of hope to the sons of men when the frosts of winter come? If matter's multitude of forms can never die, will the spirit of man suffer annihilation when it has paid a brief visit like a royal guest, to this tenement of clay? No, I am as sure there is another life as I am that I live today."

In these beautiful words, the Great Commoner has given expression to that comforting tenet of the Christian Faith, from which those of us who are left behind can derive so much solace and consolation, in the confident conviction that we shall be separated only for just a little while from our loved ones who have gone on before; that:

"They are not gone who pass
Beyond the clasp of hand,
Out from the strong embrace;
They are but come so close
We need not grope with hands,
Nor look to see nor try
To catch the sound of feet;
They have put off their shoes
To softly walk by day
Within our thought, to tread
At night, our dream-led paths
Of sleep.

"They are not lost who find
The sunset gate, the goal
Of all the weary years.
Not lost are they who reach
The summit of their climb,
The peak above the clouds
And storms. They are not lost
Who find the light of sun
And stars and God.

"They are not dead who live
In hearts they leave behind,
In those whom they have blessed.
They live a life again,
And shall live through the years
Eternal life, and grow
Each day more beautiful,
As time declares their good,
Forgets the rest, and proves
Their immortality."

And so we say: "For a little while, good night, Sweet Princess, may flights of angels sing thee to thy rest."

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING AS FOLLOWS:

That this eulogy be now read to this assembled body and that the contents of this Resolution and accompanying eulogy be spread upon the records of this Legislature and entered in the Acts of this Session as a preface thereto.

It is further ordered that the Clerk of the House be directed to furnish copy of this Resolution to the family of the late Governor Lurleen Burns Wallace in appropriate manner and form.

On motion of Mr. Neville the rules were suspended and H. J. R. 1 was adopted.

Also:

By Mr. Merrill:

H. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Merrill the rules were suspended and H. R. 2 was adopted.

Also:

By Mr. Merrill:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House and two members of the Senate, to be named by the presiding officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business; and

BE IT FURTHER RESOLVED THAT said Committee ascertain from His Excellency if he desires to address a joint session of the Legislature and if he does desire to address a joint session, to further ascertain the time most suitable to him for such address.

On motion of Mr. Merrill the rules were suspended and H. J. R. 3 was adopted.

Also:

By Mr. Merrill:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that during the two weeks recess of the House and Senate, the necessary clerical personnel in each House will be retained to check the Registers and Journals and file material for the Special Session, at the discretion of the Clerk of the House and the Secretary of the Senate.

On motion of Mr. Merrill the rules were suspended and H. J. R. 4 was adopted.

The Speaker appointed Messrs. Cook (Jefferson), Neville and Merrill, in accordance with H. J. R. 3, to notify the Governor that the Legislature is now in session and ready for the transaction of business, and to ascertain from His Excellency if he desires to address a joint session.

Also:

By Messrs. McDonald, Starnes and Drake:

H. J. R. 5. WHEREAS, Colonel Wilbur B. Fowler served continuously and ably as a member of the Alabama National Guard for a period of more than thirty-two years, having enlisted as a private and retired with the rank of colonel;

WHEREAS, Colonel Fowler organized the first National Guard unit ever organized in Arab, and such unit was activated on February 28, 1947, with Wilbur B. Fowler as its commanding officer;

WHEREAS, this unit was called into active duty during the Korean War where it served honorably and with distinction under Commanding Officer Wilbur B. Fowler;

WHEREAS, Colonel Fowler strove always to make the unit under his command a matter of pride to the community and achieved a high degree of success in this undertaking; and

WHEREAS, Colonel Fowler was not only an excellent National Guardsman and officer, but a very valuable citizen who gave unstintingly of his time and talent to the social, civic and charitable affairs of the community; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That it is the consensus of this body that Fort Wilbur B. Fowler is a most appropriate name for the armory at Arab, in recognition of Colonel Fowler's outstanding work in developing the Arab National Guard unit and as a fitting tribute to him for his faithful service.

BE IT FURTHER RESOLVED that we hereby memorialize the Adjutant General of Alabama and the State Armory Commission to name and designate the armory at Arab, Alabama "Fort Wilbur B. Fowler."

On motion of Mr. McDonald the rules were suspended and H. J. R 5 was adopted.

MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

ROBERT M. CLECKLER
Secretary to the Governor.

May 6, 1969

MESSAGE FROM THE GOVERNOR

TO THE MEMBERS OF THE LEGISLATURE OF THE STATE OF ALABAMA:

First, let me commend each of you for the tireless effort you have made during the past few weeks in pushing through a program for education. At the beginning of the Special Session which has just been concluded, I stated that I was convinced that you were convening in a constructive spirit—not to tear down but to build up—not to argue

negatively, but to act positively—not to look for problems but to find solutions. You accepted the challenge and today we are on the road to a new approach in education—we are beginning a new day when we can completely discard the concept of dealing with our educational problems on a crisis to crisis basis and begin to deal with them in a businesslike and orderly manner.

You have just adopted legislation which will allow for sweeping changes in the methods of administration of our school systems and you have made significant changes with regard to their financing. These welcomed new, fresh approaches to our problems should bring about desirable changes in a system which has needed some innovations for such a long time.

I sincerely and wholeheartedly commend you for the long hours which you spent in working out this program. We can all feel justly proud of this accomplishment, but I hope that we will not rest—having come this far. With the establishment of the Commission on Higher Education and the Education Study Commission on a permanent basis we should from henceforth approach the many remaining educational problems with study, deliberation and much thought and with a positive attitude of being willing to discard that which is bad and replace it with that which is good—constantly keeping in mind that our job is to get our dollars to the teacher in the classroom and the student at the desk—where education really takes place.

You have done something more—you have done something better—for the school children of Alabama, and you deserve the gratitude and respect of every citizen of our State.

Because of the pressing requirements of the Special Session just ended, I have not had time to outline in specific detail those areas to which I hope you will direct your attention during the Regular Session, but I shall within the next two weeks prepare a message which will be sent to you outlining several measures to meet some special problems. In general, we will be requesting legislation dealing with ad valorem tax reform, pornography, highway safety, Medicaid, and election law reform. You will also be providing appropriations for the operation of State government for the next two years. Many of you have proposals of statewide application which are meritorious and which I will be happy to aid you with at any time. The Legislative Council will present several bills for your consideration and, considering the usual number of local bills you will be called upon to consider, I know that you will have a most active Session.

This Legislature has proved beyond a shadow of a doubt that it is willing and able to deal with the pressing problems of modern Alabama. We share a common concern for our future as a State and as a people, and I am confident that we can face the issues which present themselves in the Regular Session with wisdom and creative action.

I look forward with pleasure to having the opportunity to work with you again in helping to solve some of our State's problems and to meet some of the challenges which are presented to us. With God's help I know that we will meet the responsibilities entrusted to us by the people.

Respectfully,

ALBERT P. BREWER,
Governor.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Owen (Baldwin) and Brannan:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,000 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Local Legislation No. 1.

By Messrs. Owen (Baldwin) and Jackson (F):

H. 2. To amend Sections 1, 2, 9, and 13 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama, 1945, page 1; to further amend Section 4 of Act No. 1, H. 46, approved May 22, 1945, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama, 1949, page 1033; and to further amend Section 12 of Act No. 1, H. 46, approved May 22, 1945 as amended by Act No. 83, H. 6, approved April 12, 1956, General Acts of Alabama, Second Special Session, 1956, page 374, which Act provided for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama. The amendments will update the terminology of the basic conservation statute necessitated by technological advances, remove the 40-acre limitation on spacing, authorize the Board to integrate undivided interests and authorize downhole commingling of production from thin sands.

Business and Labor.

By Messrs. Owen (Baldwin) and Jackson (F):

H. 3. To amend Section 5 of Act No. 352, H. 44, approved August 23, 1957, General Acts of Alabama of 1957, page 464, as amended by Act No. 80, H. 118, approved September 30, 1965, page 110, so as to remove the requirement that an allocation be made as to each pool where there is an addition to an existing fieldwide unit.

Conservation.

By Messrs. Brannan, Owen (Baldwin), Starnes, Holladay, and Wright:

H. 4. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Constitution and Elections.

By Messrs. Brannan, Owen (Baldwin), Starnes, Holladay, and Wright:

H. 5. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Judiciary.

By Messrs. Brannan, Owen (Baldwin), Starnes, Holladay, and Wright:

H. 6. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Local Government.

By Mr. Neville:

H. 7. Relating to deductions allowed to individual income taxpayers for certain medical expenses, further amending Act No. 693, H. 658, Regular Session 1947 (General Acts 1947, p. 527) as amended; providing for retroactive effect.

Ways and Means.

By Messrs. Neville, Malone, Snell, Bassett, Stembridge, Harper, Graham, Berryman (W), Higginbotham, Brassell and McLain:

H. 8. Relating to voters and voting; making it unnecessary for certain absentee voters to make new applications to vote in certain run-off primary elections; prescribing additional duties for officers or persons who handle absentee voting.

Constitution and Elections.

By Messrs. Merrill and Cook (Coffee):

H. 9. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Judiciary.

By Messrs. Merrill and Cook (Coffee):

H. 10. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

Judiciary.

By Messrs. Merrill and Cook (Coffee):

H. 11. To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

Judiciary.

By Mr. Merrill:

H. 12. To amend further Code of Alabama 1940, Title 46, Section 29, which prescribes fees to be paid by applicants for admission to the state bar, in order to authorize the board of commissioners of the state bar to fix and prescribe such fees.

Judiciary.

By Messrs. Merrill, Mathews and Lybrand:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

Judiciary.

By Messrs. Merrill, Bank, House, McDonald, Drake, McCorquodale, Fite, Berryman (W) and Lybrand:

H. 14. To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

Judiciary.

By Messrs. Merrill and Brassell:

H. 15. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Ways and Means.

By Messrs. Merrill and Lybrand:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

Local Legislation No. 1.

By Mr. Lybrand:

H. 17. Relating to wildlife retained in captivity for exhibition purposes by private interests; requiring the Director of Conservation to promulgate rules for sanitary and humane treatment of such wildlife, providing for enforcement of such rules, and providing penalties for violations thereof.

Conservation.

By Messrs. Lybrand, Fite, Bank, Perloff, Brassell, Collins (C), Cook (Coffee), Starnes, Neville and Hill:

H. 18. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

Judiciary.

By Messrs. Headley, Marr and Harris:

H. 19. Relating to the powers and duties of the state personnel director, relieving such officer of the duty of having published the names and addresses of state employees.

State Administration.

By Messrs. Headley and Neville:

H. 20. Relating to fees of witnesses in criminal cases; amending Code 1940, Title 11, Section 103.

Judiciary.

By Messrs. Headley, Neville, Springer, Harris and Higginbotham:

H. 21. To amend Code of Alabama 1940, Title 17, Section 45, requiring certain information to be furnished to boards of registrars, so as to require the state registrar of vital statistics to furnish certain monthly death reports to such boards.

Constitution and Elections.

By Messrs. Headley, Holladay, Snell and Robertson:

H. 22. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

Rules.

By Messrs. McCorquodale, Pennington, Agee, Cook (Coffee) and Bank:

H. 23. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

Judiciary.

By Mr. McCorquodale:

H. 24. Further regulating reports and returns relative to the Alabama sales and use taxes; requiring the makers of such reports and returns to show thereon, separately by county, the total amount of their taxable business done in all counties in this State having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 25. To grant certain exemptions from local sales and use taxes to residents of all counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to regulate the manner of claiming such exemptions and of reporting and paying the local sales and use taxes when sales hereby exempted from such local taxes have been made.

Local Legislation No. 1.

By Messrs. McCorquodale and Agee (with notice and proof):

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Local Legislation No. 1.

Notice and Proof H. 26:

LEGAL NOTICE

Notice is hereby given that during the next session, special or regular, of the Legislature of the State of Alabama, the following bill will be introduced:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city

certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Thomasville, in the County of Clarke, State of Alabama, be and the same are hereby altered and rearranged so as to exclude from the corporate limits of said City all of the lands not embraced within the description hereinafter set out, and to include within the corporate limits of said City all of the lands herein set out, to-wit:

SW¼ and E½ of Section 10; all of Section 11; S½ of NW¼ of Section 12; W½ of W½ of Section 13; all of Section 14; all of Section 15 lying East of the Choctaw Corner-Grove Hill Public Road. That part of the NW¼ of NE¼ of Section 15 described as follows: Begin at the NW corner of NE¼ of Section 15; thence South 300 yards; thence East to the East margin of the Choctaw Corner-Grove Hill Public Road; thence Northerly along the East boundary of said road to the North boundary of said forty; thence West to point of beginning; all of Section 22 lying East of the Choctaw Corner-Grove Hill Public Road; all of Section 23; W½ and SE¼ of Section 24; W½ and SW¼ of SE¼ of Section 25; all of Section 26; all of N½ of NE¼ of Section 27 lying East of Choctaw Corner-Grove Hill Public Road; W½ and N½ of NE¼ of Section 35; NW¼ of NW¼ of Section 36 and all of the NE¼ of NW¼ of Section 36 lying West of old Highway No. 5 less and except that portion described as follows: Begin at a point on the West margin of Old Highway No. 5, which point is 440 feet South of the North line of said forty; thence West 210 feet; thence South 870 feet, more or less, to the South line of said forty; thence East 210 feet, more or less, to the West margin of Old Highway No. 5; thence Northerly along the West margin of Old Highway No. 5 870 feet, more or less, to the point of beginning. All in Township 11 North, Range 3 East, Clarke County, Alabama; and NW¼ and N½ of SW¼ of Section 2, Township 10 North, Range 3 East, Clarke County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLARKE

Before me, the undersigned authority, in and for said State and County, personally appeared PACE W. BOZEMAN, who is known to me and who, being by me first duly sworn, deposes and says:

That he is the publisher of The Thomasville Times, a newspaper published at Thomasville, in Clarke County, Alabama, and that the said Thomasville Times is printed in said Clarke County, Alabama, and is of general circulation in said City and County and has been mailed under second class mailing privileges at the United States Post Office at Thomasville Alabama, regularly each week for a period of more than fifty-two (52) consecutive weeks prior to the publication of Legal Notice a copy of which is attached hereto, and further, that said Legal Notice was published in said newspaper, The Thomasville Times, in the issue or issues dated January 17, 24, 31; February

7, 1968 and that said issue or issues were duly circulated among the subscribers of said newspaper.

PACE W. BOZEMAN,
Publisher—The Thomasville Times.

Sworn to and subscribed before me this 28th day of February, 1968.

BERNICE R. DORTCH,
Notary Public, State at Large.

My commission expires 1-11-70.

By Messrs. McCorquodale, Culver, Tuck, Grayson, Ellis, Harris, Hobbie, Neville, Wood, Williams, Headley, Sessions, Adwell, Money and Cook (Coffee):

H. 27. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

State Administration.

By Messrs. Young, Culver, Tuck, Grayson, Bassett, McCorquodale, Brown, Bank, Laxson, Malone, Smith, Collier, Brannan, Harper, Lemley, Fine, Pearson and Snell:

H. 28. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Agriculture.

By Messrs. Young, Lemley, Fine, Pearson, Collier, Snell and Headley:

H. 29. To provide for the display of a distinctive warning device on certain vehicles, farm tractors, implements of husbandry, and special mobile equipment, and to prescribe the design, style, position, and use of such device, and to provide a penalty for any violation of the requirements of this Act.

Agriculture.

By Messrs. Cook, (Coffee), Jackson (F) and Foshee:

H. 30. To make appropriations from the Alabama Special Educational Trust Fund for capital outlay purposes to the Geneva County Board of Education and to the Elba City Board of Education.

Ways and Means.

By Mr. Cook (Coffee):

H. 31. To amend further Section 89 of Title 36, Code of Alabama (1940), as amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

State Administration.

By Messrs. Cook (Coffee), Harris, Springer, Tuck, Brassell, Graham, Young, Hobbie, Harper, Collier, Brown, Headley, Brannan, Hain, Grayson, Mathews, Pearson, McCorquodale, Jackson (F), Foshee and Mays:

H. 32. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, in relation to papers to be recorded on filing and when record used on trial of cause.

State Administration.

By Messrs. Cook (Coffee), Harris, Springer, Tuck, Brassell, Graham, Young, Hobbie, Harper, Collier, Brown, Headley, Brannan, Hain, Grayson, Mathews, Sessions, Pearson, McCorquodale, Jackson (F), Foshee and Mays:

H. 33. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

State Administration.

By Messrs. Cook (Coffee), Jackson (F) and Foshee:

H. 34. To provide for and authorize the incorporation of districts, as public corporations of the State of Alabama, by any two or more incorporated cities, towns or villages in the State of Alabama for the purpose of acquiring, constructing, owning, operating and financing any one or more of systems for providing telephone and other communication services to the public by the transmission of signal, picture, voice and sounds of all kind; to provide for the approval, execution, filing, recording and amendment of the certificate of incorporation of such districts and the dissolution thereof; to grant powers to such districts, including the power of eminent domain, and to provide the means of exercising such powers; to provide for a board of directors and officers to exercise the powers and direct the affairs of such districts; to authorize such districts to issue and sell bonds payable solely from the revenues of its system or systems; to provide for the execution and delivery by such districts of mortgages, deeds of trust and other instruments of security for the benefit of the holders of such bonds; to provide for the remedies and rights available to the holders of the bonds; to provide that the property and income of such districts and any such district itself shall be exempt from all state, county, municipal and other taxation in the State of Alabama, including, without limitation, privilege and license taxation; to provide that the bonds of such districts and the interest thereon shall be tax exempt; to provide that deeds, mortgages, trust indentures and other instruments of, by, or to such districts shall be tax exempt; to provide for the use and utilization and distribution of the revenues of the systems of such districts; to exempt such districts from the jurisdiction and control of the Public Service Commission and all other regulatory bodies and agencies of the State; to regulate the use of the proceeds of sale of any such bonds; to regulate the duplication of existing privately owned systems furnishing the same services and to provide for the acquisition thereof by such districts; to provide for the use of the public roads by such districts; and to make provisions with respect to the acquisition, construction, maintenance, operation and financing of a system or systems by such districts, as a public corporation of the State of Alabama:

State Administration.

By Mr. Graham:

H. 35. Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

Local Government.

By Messrs. Graham and McElhaney:

H. 36. To provide for the uniform disposition of unclaimed and abandoned tangible and intangible personal property including a definition of terms, property held by banking or financial institutions, unclaimed funds held by insurance companies, deposits and refunds held by utilities, undistributed dividends and distributions of business association, property of business associations and banking or financial organizations held in course of dissolution, property held by fiduciaries, property held by Federal Courts and Federal officers and agencies, miscellaneous personal property held for another person; to provide for reciprocity for property presumed abandoned or escheated under the laws of another state; to provide for the report of abandoned property; to provide for the notice and publication of lists of abandoned property; to provide for the payment or delivery of abandoned property to the Commissioner of Revenue; to provide for the relief from liability to the holder by payment or delivery to the Commissioner of Revenue; to provide that no income shall accrue after payment or delivery to the Commissioner of Revenue; to provide that periods of limitation shall not be a bar to recovery by the Commissioner of Revenue or the duty to file reports; to provide for the sale of abandoned property; to provide for the deposit and disposition of funds; to provide for the claim for abandoned property paid or delivered; to provide for the determination of claims by the Commissioner of Revenue; to provide for judicial action or review; to provide for election by the Commissioner of Revenue to take payment or delivery in certain cases; to provide for the examination of records; to provide for judicial proceedings to compel payment or delivery; to prescribe penalties; to provide for the administration and enforcement of the Act by the Commissioner of Revenue and the State Department of Revenue; to provide for the effect of laws of other states; to provide for the severability of this Act; to provide for the uniformity of interpretation of this Act; to provide for a short title of this Act; to repeal conflicting laws; and to provide an effective date for this Act.

State Administration.

By Messrs. Graham and Berryman (W):

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Foshee and Jackson (F):

H. 38. To make an appropriation from the state treasury for the relief of Ray Bozeman, Clerk of the Covington County Circuit Court.

Ways and Means.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

Local Legislation No. 1.

Notice and Proof H. 39:

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts Number 1 and 2. Covington County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part thereof when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor.

Proposed Amendment

1. The governing body of Covington County shall have power to levy and collect annually a special school district tax not exceeding fifty cents on each one hundred dollars worth of taxable property in school districts number 1 and 2, Covington County, as assessed for state taxation, for public school purposes, provided the rate of such tax, the time it is to continue and the purpose thereof shall have been first submitted to a vote of the qualified electors of the districts and voted for by a majority of those voting at such election. Such tax shall be in addition to all other taxes provided for by law. The funds arising from such special district tax levied and collected by the county shall be expended for the exclusive benefit of the public schools in said districts. Elections under this amendment shall be called, held, and conducted in relation to the levying of special school district taxes under the third amendment to the Constitution.

2. If a majority of the qualified electors of school districts number 1 and 2, Covington County, who participate in the election on the adoption, then the approval of the amendment as expressed by such vote shall of itself authorize the levying of the special tax provided for herein at the maximum rate specified for a period not exceeding twenty years.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

PROOF OF PUBLICATION

STATE OF ALABAMA
COVINGTON COUNTY

Before me, the undersigned authority, personally appeared Robert D. Burgess who, being duly sworn deposes and says that he is the Editor of The Opp News, a newspaper of general circulation published at Opp in Covington County, Alabama; that said newspaper has been mailed under the second class mailing privileges of the United States Post office dated from the Post Office at Opp, Alabama, for 52 consecutive weeks and more prior to March 20, 1969; that the notice of School Tax attached hereto has been published in said newspaper for Four consecutive weeks in the weekly issues of said newspaper of the dates of March 20-27, April 3-10, 1969.

ROBERT D. BURGESS.

Sworn to and subscribed before me this 11th day of April, 1969.

TOMMIE SUE AMMONS,
Notary Public,
Covington County, Alabama.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Local Legislation No. 1.

Notice and Proof H. 40:

STATE OF ALABAMA
COUNTY OF COVINGTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of education of Covington County shall receive from the public school funds of the county $25.00 a day and his traveling expenses at 10¢ per mile round trip and hotel expenses incurred in attending meetings of the board and transacting the business of the board. The members of the county board shall not be allowed pay for more than 24 days in any one year, and their per diem pay and expenses shall be paid from the public school funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Larry K. Woodham, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Manager of The Florala News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 3-6-69, 3-13-69, 3-20-69, and 3-27-69, all in the year 1969.

LARRY WOODHAM.

Sworn to and subscribed before me April 17, 1969.

JAMES HAMILTON,
Notary Public.

By Messrs. Drake, McDonald, and Starnes (with notice and proof):

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 41:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Good Hope, Cullman County, Alabama, be and the same are hereby altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the Town of Good Hope, Alabama, and in addition thereto the following described territory, to-wit:

TRACT I

The Southwest Quarter of the Southeast Quarter, Section 29, Township 10 South, Range 3 West. ALSO: The North One-Half of the Northeast Quarter, Section 32, Township 10 South, Range 3 West.

TRACT II

The Southwest Quarter of the Southeast Quarter of Section 32, Township 10 South, Range 3 West.

TRACT III

The Northeast Quarter of the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 33, Township 10 South, Range 3 West.

TRACT IV

The Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 5, Township 11 South, Range 3 West.

TRACT V

The East Half of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 11 South, Range 3 West.

TRACT VI

The Southwest Quarter of the Southwest Quarter of Section 8, Township 11 South, Range 3 West. ALSO: The South One-Half of the Southeast Quarter of the Southeast Quarter of Section 7, Township 11 South, Range 3 West.

TRACT VII

The Northeast Quarter and the East One-Half of the Southeast Quarter of the Northwest Quarter in Section 17, Township 11 South, Range 3 West.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 9, July 16, July 23, and July 30, all in the year 1968.

ROBERT BRYAN.

Sworn to and subscribed before me May 19, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972

By Messrs. Starnes, Tuck, McLain, Wright, Holladay, Ellis, McElhaney, Culver, Grainger, Lybrand, Laxson, Brown, Collier, Merrill, Manley, Williams, Hobbie, Collins (W), Brassell, Higginbotham, Mays, Jones, Cook (Jefferson), Meade, and Drake.

H. 42. To create the state board of examiners of nursing home administrators; to prescribe the powers of the state board of examiners of nursing home administrators; to provide for the issuance of licenses for nursing home administrators.

Health.

By Mr. Starnes:

H. 43. Relating to railroads; providing for maintenance of grade crossings on public roads and highways; prescribing penalties.

Judiciary.

By Messrs. Starnes, McLain, Money, Sessions, Brannan, Owen (Baldwin), Wright, Mays, Jones, Grainger, Laxson and Springer.

H. 44. To amend Sections 1, 6, and 9 of Act 217, Senate 23, page 259, Volume 1, Acts of Alabama, 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding in the expenditure of public funds.

Judiciary.

By Messrs. Hain, Steagall, and Blanton

H. 45. To amend and re-enact Section 619 (10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instruments of like character.

Judiciary.

By Mr. Blanton

H. 46. Relating to primary elections; amending Code of Alabama Title 17, Section 352.

Judiciary.

By Mr. Blanton

H. 47. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Mr. Blanton:

H. 48. To provide for absentee voting in primary, general, special and municipal elections; prescribing penalties for violations of the act; repealing conflicting laws and specifically repealing Act No. 424, H. 351, Regular Session 1949 (Acts 1949, p. 601) and all acts amendatory or supplementary thereto.

Judiciary.

By Mr. Blanton:

H. 49. Regulating the imprinting of license tags or license plates issued by the State of Alabama for use on motor vehicles; prohibiting the imprinting on such license tags or plates of certain characters; and requiring the imprinting thereon of certain other characters.

State Administration.

By Mr. Blanton:

H. 50. Relating to elections; to amend further Code of Alabama Title 17, Section 145, to define the term "political party."

Judiciary.

By Mr. Blanton:

H. 51. To provide for the RIGHT TO VOTE on the candidates for president and vice-president of the United States by a popular vote of the voters of Alabama; amending Code of Alabama, 1940, Title 17, Sections 145, 222, 224, 225.

Judiciary.

By Mr. Collier (with notice and proof):

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Local Legislation No. 1.

Notice and Proof H. 52:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Elmore County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be five dollars, which fee shall be collected by the sheriff and deposited in the county treasury. Four-fifths of each fee collected shall be credited to a special fund or account in the county treasury and may be drawn on and used in the sole discretion of the sheriff for the purchase of equipment, materials and supplies, and for payment of compensation of additional personnel when and as needed in the sheriff's department, and the remainder of each fee so collected shall be paid into the general fund of the county and may be used for general fund purposes.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23, Jan. 30, Feb. 6, and Feb. 13, all in the year 1969.

JOHN P. HARRIS,
Publisher.

Sworn to and subscribed before me February 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Mr. Collier (with notice and proof):

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

Local Legislation No. 1.

Notice and Proof H. 53:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the allowance for travel expenses provided the sheriff of Elmore County:

Be It Enacted by the Legislature of Alabama:

Section 1. In addition to his salary as prescribed by law the sheriff of Elmore County shall be entitled to an allowance of two hundred fifty dollars ($250) a month for travel expenses. The allowance shall be paid from the general funds of the county.

Section 2. This Act supersedes the provisions of Section 2 of Act No. 47, H. 100, Special Session 1962 (Acts 1962, p. 63) in conflict herewith.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23, Jan. 30, Feb. 6, and Feb. 13, all in the year 1969.

JOHN P. HARRIS,
Publisher.

Sworn to and subscribed before me February 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Mr. Collier (with notice and proof):

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Local Legislation No. 1.

Notice and Proof H. 54:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Be It Enacted by the Legislature of Alabama:

Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County (Acts 1957, v. 1, p. 92), is hereby amended to read as follows:

"Section 6. Subject to the approval of the court of county commissioners, board of revenue, or other like governing body of Elmore County, the said Chief Deputy and the Deputies authorized in Sections 3, 4, and 5 hereof, in addition to their regular monthly compensation, shall each be paid for traveling in the performance of his official duties as such Chief Deputy and Deputies in all cases where he provides his own automobile and pays for operating the same, the sum of $250 a month for expenses."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by

me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Jan. 23, 1969, Jan. 30, 1969, Feb. 6, 1969, and Feb. 13, 1969, all in the year 1969.

JOHN P. HARRIS.
Publisher.

Sworn to and subscribed before me February 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Mr. Collier (with notice and proof):

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Local Legislation No. 1.

Notice and Proof H. 55:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of equalization of Elmore County shall each be entitled to ten dollars per day as expenses for each day's attendance on the sessions of the board. Such expenses shall be paid out of the general fund of the county on certificates signed by the chairman of the board.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on March 27, April 3, April 10, and April 17, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me April 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Mr. Collier (with notice and proof):

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

Local Legislation No. 1.

Notice and Proof H. 56:

STATE OF ALABAMA
COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; providing expense allowances for members of the county board of registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Elmore County shall each be entitled to not less than five nor more than ten dollars a day, as determined by the county governing body, as expenses for each day's attendance on the sessions of the board. Such expenses shall be paid out of the general fund of the county on certificates signed by the chairman of the board, and shall be in addition to the pay of such officers paid by the State.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 27, April 3, April 10, and April 17, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me April 18, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Messrs. Wright, Sessions, Money, Starnes, McLain, Brannan, Owen (Baldwin), Malone and Jones:

H. 57. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws of incorporated municipalities.

Judiciary.

By Messrs. Wright, Starnes, Holladay, Brannan, Money and Jones:

H. 58. To amend further Section 587, Title 37, Code of Alabama 1940, as amended, relating to appeals from recorder's courts.

Judiciary.

By Messrs. Wright, Starnes, Holladay, Brannan, Money and Jones:

H. 59. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

Judiciary.

By Messrs. Wright, Owen (Baldwin), Holladay, Starnes, Money, McLain, Malone and Jones:

H. 60. To provide an additional, alternative procedure whereby cities and towns may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Local Government.

By Messrs. Wright, Owen (Baldwin), Holladay, Money, Tuck and Jones:

H. 61. To amend Section 772 of Title 37, Code of Alabama 1940.

Local Government.

By Messrs. Wright, Owen (Baldwin), Holladay, Money, Tuck and Jones:

H. 62. To amend further Section 773, Title 37, Code of Alabama 1940, as amended.

Local Government.

By Messrs. Wright, Owen (Baldwin), Holladay, Money, Tuck and Jones:

H. 63. To amend Section 774, Title 37, Code of Alabama 1940.

Local Government.

By Messrs. Wright, Owen (Baldwin), Holladay, Money, Tuck and Jones:

H. 64. To amend Section 776 of Title 37, Code of Alabama 1940.

Local Government.

By Messrs. Wright, Owen (Baldwin), Holladay, Money, Tuck and Jones:

H. 65. To amend Section 777, Title 37, Code of Alabama 1940.

Local Government.

By Messrs. Wright, Owen (Baldwin), Holladay, Money, Tuck and Jones:

H. 66. To amend further Section 778, Title 37, Code of Alabama 1940, as amended.

Local Government.

By Messrs. Malone, Dill, Robertson, McDonald, Haygood, Hill, Kilgore, Stubbs, Owens (W.E.), Laxson, Jackson (T), Starnes, Collins (C), Waggoner, Yeilding, Money, Gloor, Cherner, Meeks, Adwell, Grayson and Sessions:

H. 67. To abolish the office of legislative agent, repealing Act No. 19, H. 58, Third Special Session, 1965 (Acts, Second and Third Special Sessions 1965, p. 225), which created such office.

Rules.

By Messrs. Malone, Wright and Owens (W.E.):

H. 68. To amend further Section 9 of Act No. 476, H. 8, Regular Session 1965 (Acts 1965, Regular Session, p. 686) an Act known as the "Physical Therapy Practice Act," so as to provide further for the issuance of licenses without examination.

Health.

By Messrs. Owens (W.E.) and Malone:

H. 69. To authorize and provide that Clerks of Circuit Courts in all Counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census, may select, designate and appoint one of his present assistants to be and serve as Assistant Chief Clerk of the Criminal Division of Circuit Court, and one of his present assistants to be and serve as Assistant Chief Clerk of the Civil Division of Circuit Court.

Local Legislation No. 1.

By Messrs. Tuck, Brannan, McLain, Wright, Williams and Manley:

H. 70. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

Local Government.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Tuck, Brannan, McLain, Wright, Holladay, Williams and Manley:

H. 71. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Local Government.

By Mr. Tuck:

H. 72. Proposing an amendment to the Constitution of Alabama relating to enactment of laws providing for nonpartisan election of county officers in Greene County.

Local Government.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Tuck, Culver, Graham, Brassell, Lemley, Young, Hobbie and Manley:

H. 73. Relating to elections; amending Code of Alabama 1940, Title 17, Section 153 so as to make provisions respecting election of electors for President and Vice-President of the United States.

Constitution and Elections.

By Messrs. Tuck, Manley, Owens (W), Ellis, Culver, Graham, Brassell, Lemley, Young and Hobbie:

H. 74. To authorize and empower any state trooper or other law enforcement officer to remove a domestic animal from a highway right of way by use of a tranquilizer or similar drug.

Judiciary.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 75. To provide for the compensation of jurors in Geneva County.

Local Legislation No. 1.

Notice and Proof H. 75:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Geneva County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on Feb. 27, March 6, March 13, and March 20, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me March 25, 1969.

MARY C. DAUGHTRY,
Notary Public.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Local Legislation No. 1.

Notice and Proof H. 76:

A BILL
TO BE ENTITLED
AN ACT

Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Be It Enacted by the Legislature of Alabama:

Section 1. The officers appointed to hold elections in Geneva County shall each be entitled to ten dollars. The returning officer shall also be entitled to mileage as prescribed in Code of Alabama 1940, Title 17, Section 198 as amended. The several claims shall be paid as preferred claims, out of monies in the county treasury not otherwise appropriated, on proper proof of service rendered. However, amounts paid to election officers under this act for compensation, per diem or mileage in excess of the amounts prescribed by general laws shall not in any case be reimbursable by the State.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 27, March 6, March 13, and March 20, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me March 25, 1969.

MARY C. DAUGHTRY,
Notary Public.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Local Legislation No. 1.

Notice and proof H. 77:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 207, H. 575, approved August 13, 1957 (Acts 1957, v. 1, p. 266) is hereby amended so as to read as follows:

"The court of county commissioners, board of revenue, or other like governing body of Geneva County is hereby authorized to provide for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County a clerk-hire allowance of Three Thousand, Three Hundred ($3,300.00) Dollars for each year. The allowance shall be paid, when authorized, from the county treasury in equal monthly installments, on vouchers signed by the officer entitled to the allowance."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 27, March 6, March 13, and March 20, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me March 25, 1969.

MARY C. DAUGHTRY,
Notary Public.

By Messrs. Cook (Jefferson), House, Waggoner, Meeks, Beck, Meade, Dobbs, Cook (Coffee), Williams, McElhaney, Bowers, Adwell, Owens (W.E.), Watkins, Holman, Crane, Bank, Money, Pruitt, Cherner, Drake, Tuck, Burgreen, Gloor, Jackson (T), Ellis, Gafford, Culver, Brassell, Higginbotham, Sessions, Yeilding, Weeks, McLain, Grainger, Laxson, Kilgore, Robertson, Lybrand, Wright, Holladay, Graham, Collins (W), Perloff, Snell, and Harris:

H. 78. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make appropriation from the state treasury for the purposes of this act.

Ways and Means.

By Messrs. Cherner, Springer, McCorquodale, Brannan, Jones, and Gafford:

H. 79. To require the Chief Examiner of Public Accounts, with the consent of the Legislative Committee on Public Accounts, to appoint independent auditors under certain conditions; to provide for the performance of such audits and the effect thereof; and to provide for payment of such audits and an appropriation for such payments for the biennium ending September 30, 1969 and the biennium ending September 30, 1971.

Ways and Means.

By Messrs. Ellis, Culver, and Lybrand:

H. 80. To create and establish the Alabama Constitution Revision Commission to study and make recommendations for the revision of the Constitution of Alabama; to provide for the membership of the commission, the manner of its appointment and its duration; to prescribe its duties and authority; to provide for the payment of its expenses; and to make an appropriation from the state treasury.

Ways and Means.

By Messrs. Yeilding, Gloor, House, Cherner, Cook (Jefferson), Gafford, Manley, Pennington, McCorquodale, Turnham, Dill, Ellis, Shumate, Garrett, Williams, Bowers, Crane, Adwell, Tuck, Mays, Hardin, Harper, Stembridge, Neville, Crawford, Springer, Collier, Young, Stubbs, Berryman (W), Graham, Hill, Perloff, Downing, Collins (C), Lemley, Collins (W), Burgreen, McDonald, Holladay, Meade, Malone, Wright, Hain, Bolton, Snell, Drake, Beck, McLain, Starnes, Burgess, Hobbie, Cameron, Harris, Melton, Brannan, Jackson (F), Owen (Baldwin), Nettles, Agee, Fine, Robertson, Brown, Culver, Weeks, Holman and Foshee:

H. 81. To authorize teachers who have retired under the terms of the Teacher Retirement Act of Alabama, when they are physically and mentally able to do so, to perform duties as substitute teachers in the public elementary and high schools; and to prescribe the maximum amount such teachers may earn as substitute teachers without affecting their status under said act.

Education.

By Messrs. Weeks, Drake, Cook (Coffee), Culver and Blanton:

H. 82. To name and designate the Alabama River bridge on Interstate Highway 65 at Montgomery the "American Legion Memorial Bridge."

State Administration.

By Messrs. Meeks, McLain and Wood:

H. 83. To provide for a statewide reappraisal and revaluation of property for tax purposes in the State of Alabama, to provide for the financing and administration thereof; and to define the functions, powers and duties of the State of Alabama, Department of Revenue and its relationship to county tax assessors and Boards of Equalization under this Act; and to authorize the Department of Revenue to make and promulgate rules and regulations, and provide penalties for violations of the Act.

Judiciary.

By Messrs. Holman and Bowers:

H. 84. To appropriate funds for the construction of a weather shelter for the guard-watchman at the Jessie Speight Mall and adjacent state owned parking areas.

Ways and Means.

By Mr. Turnham:

H. 85. To authorize city and county boards of education to use certain public school funds in establishing and maintaining an educational program for children between three and six years of age.

Education.

By Mr. Turnham:

H. 86. To provide that persons employed in an administrative or clerical capacity by the Alabama Association of School Boards may become members of the Teachers' Retirement System of Alabama.

Education.

By Messrs. Snell, Fite, Watkins, Brassell, Harper, Collier, Pearson, Smith, Lemley, Fine, Young, Stembridge, Crawford, Turnham, Agee, Malone, Wright, Cook (Jefferson), Wood, Higginbotham and Berryman (W):

H. 87. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Ways and Means.

By Messrs. Higginbotham and Brassell:

H. 88. Relating to crimes and offenses; defining the crime of theft and prescribing penalties and offenses therefor.

Judiciary.

By Messrs. Pennington, Jones and Holladay:

H. 89. Regulating the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Judiciary.

By Messrs. Pennington, Jones, McLain, Grainger and Laxson:

H. 90. To amend Section 3 of Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1603) an act to create the Alabama Space Science Exhibit Commission so as to exempt certain employees of the commission from the provisions of the state merit system act; to provide that such employees shall be eligible to participate in the state's health insurance plan and benefits for state employees and in the state employees' retirement system.

Ways and Means.

By Mr. Fite:

H. 91. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

State Administration.

By Messrs. McLain, Money, Sessions, Brannan, Owen (Baldwin), Wright, Mays, Starnes, Grainger, Jones, Laxson, Cameron and McDonald:

H. 92. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Ways and Means.

By Messrs. McLain, Money, Sessions, Wright, Grainger, Jones, Laxson, Cameron and McDonald:

H. 93. Relating to cities having a population of not less than 12,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Local Government.

By Messrs. McLain, Money, Sessions, Brannan, Owen (Baldwin), Wright, Collier, Williams, Grainger, Jones, Laxson, Cameron and McDonald:

H. 94. To require persons or owners to make affidavit as to the location of their legal residence upon registering and returning and assessing motor vehicles for ad valorem taxes; prescribing penalties.

Ways and Means.

By Messrs. McLain, Money, Sessions, Brannan, Owen (Baldwin), Starnes, Holladay, Grainger, Jones, Laxson, Cameron and McDonald:

H. 95. To authorize political subdivisions to enter into agreements for joint or cooperative action between themselves, a state or the United States and prescribing the procedures therefor.

Local Government.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Holladay, Starnes, Wright, Grainger, Jones, Laxson, Cameron and McDonald:

H. 96. To amend further Section 462, Title 37, Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

Local Government.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Wright, Tuck, Grainger, Jones, Laxson, Cameron and McDonald:

H. 97. To abolish primary elections of political parties in the cities and towns of this State, except those cities and towns which are organized under a commission form of government; and to repeat conflicting laws:

Constitution and Elections.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Wright, Tuck, Grainger, Jones, Laxson, Cameron and McDonald:

H. 98. To provide for the payment of costs and expenses of primary elections of political parties in the cities and towns of this State, except those cities and towns which are organized under a commission form of government; and to repeal conflicting laws.

Constitution and Elections.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Wright, Tuck, Grainger, Jones, Laxson, Cameron and McDonald:

H. 99. To abolish primary elections of political parties in the cities and towns of 300,000 population or less which are organized under a commission form of government; and to repeal conflicting laws.

Constitution and Elections.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Wright, Tuck, Grainger, Jones, Laxson, Cameron and McDonald:

H. 100. To provide for the payment of costs and expenses of primary elections of political parties in cities and towns of this state which have a population of 300,000 inhabitants or less, according to the latest federal decennial census, which are organized under a commission form of government; and to repeal conflicting laws.

Local Government.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Holladay, Starnes, Wright, Tuck, Grainger, Jones, Laxson, Cameron and McDonald:

H. 101. To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

Constitution and Elections.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Holladay, Starnes, Wright, Tuck, Grainger, Jones, Laxson, Cameron and McDonald:

H. 102. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495) which relates to mode of consolidating contiguous municipalities.

Local Government.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Holladay, Starnes, Wright, Tuck, Grainger, Jones, Laxson, Cameron and McDonald:

H. 103. To amend Section 156, Title 41, Code of Alabama 1940.

Local Government.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Starnes, Wright, Grainger, Jones, Laxson, Cameron and McDonald:

H. 104. To amend Section 13 of Title 37, Code of Alabama 1940.

Local Government.

By Messrs. McLain, Money, Brannan, Owen (Baldwin), Starnes, Wright, Grainger, Jones, Laxson, Cameron and McDonald:

H. 105. To amend further Section 10, Title 37, Code of Alabama 1940, as amended, relating to the incorporation of municipalities.

Local Government.

By Messrs. McDonald, Edington and McLain:

H. 106. To permit persons, firms, corporations, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

Judiciary.

By Messrs. Grayson, Culver, Graham, Laxson, Robertson, Brown, Tuck, Agee, Neville, Berryman (W), Harris, Brannan, Foshee, Hain, Snell, Hardin, Headley, Holman, Kilgore, Jones, Dill, Haygood, Drake and Collins (C):

H. 107. To amend further Code of Alabama 1940, Title 7, Section 630, so as to regulate further exemptions of wages from garnishment.

Business and Labor.

By Messrs. Collins (C), Hain, Higginbotham, Collins (W), McElhaney, Wood, Grayson, Tuck, Money, Manley, Laxson, Lybrand, Nettles, Harris, Foshee, Owens (W), Jackson (F) and Edington:

H. 108. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Marr, Headley, Culver, Bank, Haygood, Berryman (W), Wood and Grayson:

H. 109. To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

Business and Labor.

By Mr. Marr:

H. 110. To amend Section 3 of Act No. 856, S. 242, Regular Session 1961, entitled "An Act to suppress traffic in obscene publications, defining terms, prescribing penalties, and providing enforcement procedures against residents or nonresidents."

Judiciary.

By Mr. Marr:

H. 111. To prohibit the sale or delivery of certain harmful materials to minors; to define certain terms, to provide that it shall be unlawful to exhibit to minors certain prohibited practices; to provide that it shall be unlawful for minors to falsely represent their age to gain access to prohibited practices; to provide for procedures for the commencement of enforcement and for application for the declaratory judgement; to provide that it shall be unlawful for any person to make false representation that he is the parent or guardian of minor for the purpose of gaining minor access to prohibited practices; to place certain limitations upon the prosecution of persons accused of violating this act; to provide for exceptions; to provide for penalties; to provide the procedures connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Judiciary.

By Mr. Wood:

H. 112. To provide for direct voting on candidates for President and Vice President of the United States; making further provisions respecting election and appointment of presidential electors, and repealing conflicting laws.

Constitution and Elections.

By Messrs. Wood and Nettles:

H. 113. To amend further Code of Alabama Title 17, Section 12, in relation to the qualifications of electors to vote.

Constitution and Elections.

By Messrs. Wood and Nettles:

H. 114. Proposing to amend further Article 8, Section 178 of the Constitution of Alabama in relation to the qualifications of electors.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Wood and Perloff:

H. 115. Relating to elections; amending section one of Act No. 160, S. 95, Regular Session 1955 (Acts 1955, v. 1, p. 406), an act providing for reimbursement by the State of expenses incurred by counties in holding and conducting elections.

Ways and Means.

By Messrs. Collins (W), Hobbie, Marr, Grayson, Lyons and Perloff:

H. 116. To prohibit the enrollment or continued enrollment of communist students or members of communist organizations in institutions of learning supported in whole or in part by public moneys or funds of the State of Alabama or of any political subdivision thereof.

Judiciary.

By Messrs. Edington and Collins (C):

H. 117. To make a supplemental appropriation to the Alabama Historical Commission.

Ways and Means.

By Messrs. Perloff, Marr, Collins (W), Wood and Grayson:

H. 118. To provide further for pollution testing of waters in Mobile Bay.

Local Legislation No. 3.

By Mr. Perloff:

H. 119. To amend Section 254 of Title 13 of the Code of Alabama of 1940 which relates to the appointment and compensation of Deputy Solicitors or Deputy District Attorneys of the Thirteenth Judicial Circuit.

Ways and Means.

By Messrs. Collins (W), Hobbie, Marr, Nettles, Grayson, Lyons and Perloff:

H. 120. Relating to crimes and offenses: to prohibit certain trespass upon the property of institutions of higher education and to prohibit any interference with the peaceful conduct of the business of such institutions.

Judiciary.

By Mr. Garrett:

H. 121. To license hearing aid dealers and salesmen; to establish a board of hearing aid dealers; to establish an advisory council; to prescribe the powers and duties of the board and advisory council; to provide for enforcement of this act; and to provide penalties for its violation.

Local Government.

By Mr. Garrett:

H. 122. Further to regulate and provide for the election of presidential electors; forbidding voting for candidates for presidential electors by voting a straight party ticket; and providing for the preparation of ballots and voting machines in such manner as to preclude the inclusion of nominees for presidential electors in the respective political party's regular ticket, but to provide for voting for nominees for such offices separately from the party's nominees for other offices.

Local Government.

By Mr. Garrett:

H. 123. To amend further Sections 4 and 5 of Act No. 515, H. 93, Regular Session 1945 (General Acts 1945, p. 734), relating to the Employees' Retirement System of Alabama.

Ways and Means.

By Mr. Garrett:

H. 124. To authorize, provide for and regulate a work release plan for certain prison inmates.

Local Government.

By Mr. Garrett:

H. 125. Relating to insurance; regulating the cancellation and alteration of certain individual policies of hospitalization or medical expense insurance.

Judiciary.

By Mr. Garrett:

H. 126. To redistrict the State and provide for the election of congressmen by districts, further amending Code 1940, Title 17, Section 425.

Constitution and Elections.

By Mr. Garrett:

H. 127. Relating to the ownership of oil, gas, and other mineral rights; providing for the recordation of all instruments creating the same, and prescribing certain limitations and restrictions respecting grants, conveyances, and ownership of such rights.

Judiciary.

By Mr. Garrett:

H. 128. Proposing an amendment to the Constitution of Alabama providing for a constitution revision commission.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Garrett:

H. 129. Providing further for mentally retarded persons; requiring the department of mental health to pay tuition grants for such residents of this state who cannot be committed to Partlow State School and Hospital because of crowded conditions.

Health.

By Mr. Garrett:

H. 130. To regulate further the rates charged for intrastate long distance telephone calls.

Transportation.

By Mr. Garrett:

H. 131. To provide that the cost of his board and keep while serving a sentence in the penitentiary shall constitute a legal charge against each convict committed to the penitentiary; to provide for the collection thereof in periodic installments as such costs accrue under certain circumstances, and the entering, collection and satisfaction of record of judgements for the total amount of such costs of maintenance; to require all moneys collected for such maintenance to be paid into the state treasury and appropriated and used for feeding and caring for prisoners in the penitentiary.

Ways and Means.

By Mr. Garrett:

H. 132. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on unconstitutional amendments.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Garrett:

H. 133. To repeal Act No. 169, H. 27, Regular Session 1945 (General Acts of Alabama 1945, p. 285) entitled "An Act to provide further for conservation of the natural resources of the State by protection of forest products and development of the forestry program; to levy a privilege tax, to be known as The Forest Products Severance Tax, upon every person engaging in the business of severing timber or other forest products from the soil; to fix liability for, and prescribe methods of collecting and enforcing payment of such tax; to require records and reports; to provide for the assessment of the tax and appeals therefrom and exempting certain owners; to require reports from manufacturers, producers and transporters; to define terms and fix penalties for violation; to make appropriation of the proceeds of said tax."

Conservation.

By Mr. Garrett:

H. 134. To authorize operators of livestock markets to conduct blood tests of cattle to determine the existence of brucellosis, before animals are sold.

Health.

By Mr. Garrett:

H. 135. Proposing an amendment to the Constitution of Alabama relative to the qualification and registration of duly ordained ministers.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Garrett:

H. 136. Relating to motor vehicles; to authorize, provide for, and require registration and certification of titles to and ownership of and security interests in motor vehicles, providing for administration and enforcement of the act by the Director and Department of Public Safety, and providing for the collection of fees and the imposition of penalties.

State Administration.

By Mr. Cameron:

H. 137. To amend Act No. 866, Regular Session 1965, an act relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the insured and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

State Administration.

By Messrs. Cameron, Springer, Harris and Hobbie:

H. 138. Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Local Legislation No. 4.

By Messrs. Hobbie, Ellis, Brannan, Jackson (F), Owen (Baldwin), Mays, Hardin, Foshee, Culver, Crane, Harris, Young, Graham, Laxson, Starnes and Collins (W):

H. 139. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Ways and Means.

By Messrs. Hobbie, Headley, Higginbotham, Burgess, Graham and Laxson:

H. 140. To confer additional authority upon the state auditor respecting the examination and audit of records of public officials and repeal conflicting laws; and to provide for payment at state expense.

Ways and Means.

By Messrs. Hobbie, Higginbotham, Meeks, Snell, Haygood, Cameron, McCorquodale, Stembridge, Collier, Brown, Gloor, Shumate, Hill, Grayson, Headley, Owens (W), Culver, Ellis, Owen (Baldwin), Hardin, Jackson (F), Brannan, Foshee, Young, Graham and Laxson:

H. 141. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials and members of the Legislature; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

State Administration.

By Mr. Cameron:

H. 142. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to increase the rate of interest that may be borne by bonds of a gas district organized under the said Act.

Judiciary.

By Mr. Cameron:

H. 143. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of Bonds, Certificates of Indebtedness and Time Warrants which mature more than one year from their respective dates, issued by counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

Judiciary.

By Mr. Cameron:

H. 144. To amend Section 336 of Title 37 of the Alabama Code (1940) which section relates to waterworks, sewer, gas and electric Revenue Bonds.

Judiciary.

By Mr. Cameron:

H. 145. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama, which Act relates to Boards of Water and Sewer Commissioners.

Judiciary.

By Mr. Cameron:

H. 146. To amend Sections 1 and 3 of Act 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of bonds, warrants, certificates of indebtedness and notes of public corporations and public bodies.

Judiciary.

By Mr. Turnham:

H. 147. To Propose an Amendment to Amendment 202 of the Constitution of Alabama.

Education.

The above bill was read a first time at length as required by the Constitution.

By Mr. McElhaney:

H. 148. To amend Code of Alabama 1940, Title 29, Section 34, so as to authorize the Alabama alcoholic beverage control board to permit the sale of draft or keg beer in any wet county.

Health.

By Mr. McElhaney:

H. 149. To provide for the regulation and control of Air Pollution in the State of Alabama; Creating the Department of Air Pollution Control; Creating a technical advisory board and an appeal board to work in conjunction with the Department of Air Pollution Control; providing for the duties and powers of said department and boards; making it a criminal offense to violate provisions of this Act and providing penalties for such violations; making appropriations for the next two state fiscal years for the purpose of carrying out the provisions of this Act.

Ways and Means.

By Mr. Harris:

H. 150. To create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, terms, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

State Administration.

By Mr. Springer:

H. 151. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

Judiciary.

By Messrs. Springer and Neville:

H. 152. To amend Sections 1 and 3 of Act No. 77, H. 85, Second Special Session 1965 (Acts Second and Third Special Sessions 1965, p. 102) an act authorizing and regulating the introduction in evidence of certified copies of certain hospital records when the original thereof would be admissable, so as to include records of hospitals accredited by the American Medical Association and hospitals operated under or pursuant to any law or regulation of the United States government or any department or agency thereof.

Judiciary.

By Mr. Springer:

H. 153. To amend further Code of Alabama 1940, Title 41, Section 154, in relation to the amount of expenses allowable to persons traveling in the service of the state.

Ways and Means.

By Mr. Springer:

H. 154. Relating to state employment; providing for payment of certain expenses of moving due to certain transfers of state employees.

Ways and Means.

By Mr. Hobbie:

H. 155. To provide for the payment of additional compensation for certain state peace officers or law enforcement officers for additional and added duties beyond the normal working hours in cases of public disaster or civil disturbance.

Ways and Means.

By Messrs. Holladay, Starnes, Wright, Owen (Baldwin), Brannan, Money, and McLain:

H. 156. To amend Section 586, Title 37, Code of Alabama 1940.

Judiciary.

By Messrs. Holladay, Starnes, Wright, Owen (Baldwin), Brannan Money, and McLain:

H. 157. To amend Section 455, Title 37, Code of Alabama 1940.

Judiciary.

By Mr. Holladay (with notice and proof):

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Local Legislation No. 1.

Notice and Proof H. 158:

LEGAL NOTICE

The following bill or act substantially as follows will be introduced at the next special or regular session of the Legislature of the State of Alabama:

A BILL
TO BE ENTITLED
AN ACT

To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Be It Enacted by the Legislature of Alabama:

Section 1. That the sheriff of St. Clair County is hereby allowed two (2) additional deputies sheriff to the deputies now provided by law, which said deputies shall receive a salary of not less than $4,200.00 per annum and not more than $5,400.00 per annum which salary is to be fixed by the Commissioners Court or other governor body of said County to be paid in twelve equal monthly installments out of the general funds of said County; that said deputies shall be eligible to perform the duties of deputies sheriff anywhere in said county, and said deputies shall be appointed by the sheriff of said County to hold office at the pleasure of the Sheriff.

Section 2. That on the first of each month a statement of the name and amount due said deputies sheriff shall be furnished to the Court of County Commissioners or other governing body by the Sheriff and it shall thereupon be the duty of the Court of County Commissioners or other governing bodies to order a warrant drawn on the general funds of the county payable to said deputies for the amount of one month salary as hereinabove provided.

Section 3. That all laws and parts of Laws in conflict with this Act are hereby expressly repealed, and this Act shall be in full force and effect from the date of its passage and approval by the Governor.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/10, 4/17, 4/24, and 5/1, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

By Mr. Holladay (with notice and proof):

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Local Legislation No. 1.

Notice and Proof H. 159:

A BILL
TO BE ENTITLED
AN ACT

The following bill or act will be introduced at the next special or regular session of the Legislature of the State of Alabama:

To amend Act No. 124 H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county (Acts 1964, First and Second Special Sessions, page 180) is hereby amended to read as follows:

Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of Six Thousand ($6,000.00) Dollars per annum. The other deputies now serving in the office of the sheriff of St. Clair County or which may hereafter be authorized shall each receive a salary of Five Thousand Four Hundred ($5,400.00) Dollars per annum. The salaries of the chief deputy and the other deputies shall be paid in equal monthly installments out of the general fund of the county.

Section 2. Said salaries shall be retroactive to February 1, 1969, and shall apply to the chief deputy and other deputies serving at said time.

Section 3. All laws or parts of law which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/3, 4/10, 4/17, and 4/24, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

By Mr. Holladay (with notice and proof):

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Local Legislation No. 1.

Notice and Proof H. 160:

A BILL
TO BE ENTITLED
AN ACT

The following bill or act will be introduced at the next special or regular session of the Legislature of the State of Alabama:

Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In St. Clair County, the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be $5.00, which shall be collected by the sheriff and deposited in the county treasury. Until January 1, 1971, four-fifths of each fee collected shall be credited to a special fund or account in the county treasury and shall be used exclusively by the sheriff for law enforcement purposes; and the remainder shall be paid into the general fund in the county treasury; after December 31, 1970, one-half of each fee collected shall be paid into the sheriff's fund and the other half shall be paid into the county general fund.

Section 2. The monies deposited into the sheriff's special fund shall be paid over by the county treasurer to the sheriff of St. Clair County, Alabama from time to time upon written requisition by the sheriff to the county treasurer. The sheriff shall keep and maintain records of all expenditures made from said fund; and said fund and sheriff's expenditures shall be subject to audit upon resolution from Court of County Commissioners of St. Clair County, or as otherwise provided by law.

Section 3. The establishment of the sheriff's fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his office.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/3, 4/10, 4/17, and 4/24, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

By Mr. Holladay (with notice and proof):

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 161:

STATE OF ALABAMA,
ST. CLAIR COUNTY.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the town of Riverside, St. Clair County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory, to-wit:

Commence at the point where the North line of Section 19, Township 16, Range 5 East intersects the West bank of Coosa River (now Logan Martin Lake); thence West following the North line of said Section 19 and the North line of Sections 24, 23, & 22; in Township 16, Range 4 East of the Northwest corner of said Section 22; thence South to the Southwest corner of Section 22; thence West along the North line of Section 28 to the Northwest corner thereof; thence South along West section line of said Section 28 to a point where same intersects Fishing Creek (also known as Seddon Creek); thence in a Southerly direction following the meanderings of said creek to a point where same flows into the Logan Martin Lake; thence following the North shore line of Logan Martin Lake at the low water mark in an Easterly direction to a point where same turns back North; thence continue along said shore line of Logan Martin Lake back to point of beginning.

Said description includes all of Sections 22, 23, 24, 25, 26, 27, 28, 33, 34, 35 & 36, Township 16, Range 4 East lying West of Logan Martin Lake, and that part of Section 19, Township 16, Range 5 East lying West of Logan Martin Lake, and that part of Sections 29 and 32, Township 16, Range 4 East lying East of Fishing Creek (Seddon Creek), and that part of Sections 5 and 4, Township 17, Range 4 East lying East of Fishing Creek and North and West of Logan Martin Lake.

LESS AND EXCEPT that part of Section 33 lying West of Fishing Creek. Said property includes that territory now constituting Riverside, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4/10, 4/17, 4/24, and 5/1, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 5th, 1969.

SARA S. BELL,
Notary Public.

By Mr. Pruitt:

H. 162. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

State Administration.

By Mr. Pruitt:

H. 163. To further provide for supernumerary district attorneys.

State Administration.

By Mr. Pruitt:

H. 164. To amend Section 170 of Title 5 of the 1940 Code which relates to bank mergers and to moving of banking offices.

State Administration.

By Mr. Pruitt:

H. 165. To amend Section 170 of Title 5 of the 1940 Code which relates to bank mergers and to moving of banking offices.

State Administration.

By Messrs. Bolton, Turnham, Bank, Culver, Holladay, Owens (W.E.), Beck, Drake, Lemley, Owen (Baldwin), Young, Harper, Pearson, Cook (Coffee), Garrett, McElhaney, McLain, Lybrand and Meade:

H. 166. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; and to appropriate funds.

Ways and Means.

By Messrs. Smith, Ellis, McDonald, Lybrand, Laxson, Culver, Grainger, Gloor, Owens (W.E.), Malone, Wright, Starnes, Collins (C), Watkins, Weeks, Waggoner, Robertson, Adwell, Cook (Jefferson), Dill, Money, House, Edington, Turnham, Young, Higginbotham, Sessions, Hill, Meade, Haygood, Jones, Bank, Doss, McElhaney, Pearson, Springer, Harris, Cameron and Bolton:

H. 167. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the

Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it, and to provide for the holding of an election for the ratification or rejection of such revision.

Constitution and Elections.

By Messrs. Smith, McElhaney, Jones and Snell:

H. 168. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Smith and Culver:

H. 169. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid.

Health.

By Messrs. Smith, Turnham, Watkins, Lybrand, McLain, Bank, Steagall and Merrill:

H. 170. Relating to elections; to amend further Code of Alabama 1940, Title 17, Section 145, in relation to the number of signatures required on petitions for persons to become independent candidates before such person's name may be put on the ballot.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Turnham, Bank, Steagall and Merrill:

H. 171. Relating to elections; to regulate further the number, manner of appointment and qualification of poll watchers at voting places in primary, general, special and municipal elections.

Constitution and Elections.

By Messrs. Smith, Turnham, Watkins, Lybrand, McLain, Bank, Steagall and Merrill:

H. 172. To provide further for the conduct of elections in all counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating

and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Constitution and Elections.

By Messrs. Smith, Turnham, Watkins, Lybrand, McLain, Bank, Steagall and Merrill:

H. 173. Relating to elections; to amend Code of Alabama 1940, Title 17, Section 197 in relation to the time when the statement of votes and the poll list must be delivered by the returning officer of the precinct to the returning officer of the county.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, Turnham, McLain, Bank, Steagall and Merrill:

H. 174. Relating to election officials; further regulating and providing for the appointments, duties and compensation of certain officials for primary, general, special and municipal elections; specifically reducing the number of such officials to be appointed when paper ballots are used; and repealing conflicting laws and parts of laws.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 175. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

Constitution and Elections.

By Messrs. Smith, Turnham, Watkins, Lybrand, McLain, Bank, Steagall and Merrill:

H. 176. To fix the time for canvassing returns of general elections; amending Code of Alabama 1940, Title 17, Section 199.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 177. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 178. Relating to elections; repealing Sections 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, and 400 of Title 17, Code of Alabama 1940.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Turnham, Bank, Steagall and Merrill:

H. 179. To amend Code of Alabama Title 17, Section 153, which relates to the form of ballots to be used at elections, to provide for direct voting on candidates for president and vice president of the United States.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 180. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Smith, Watkins, Lybrand, Turnham, McLain, Bank, Steagall and Merrill:

H. 181. Relating to the conduct of elections; specifically providing that only one poll list shall be made at each place of voting in any election, primary, general, special or municipal; regulating the making of such list; providing that certain phrases when used in the election laws of this state shall refer to and mean the list made at each place of voting, as required by this Act; and repealing the provisions of certain laws which conflict with this Act.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 182. To fix the compensation of election officers; amending Code of Alabama 1940, Title 17, Section 198, which prescribes and regulates the payment of compensation for election officers; and repealing Act 409, S. 224, Regular Session 1943 (Gen. Acts of 1943, p. 375) as amended which provides for the payment of extra compensation to election officers serving at elections which are conducted in whole or in part by voting machines.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 183. Relating to elections; amending Code of Alabama, title 17, section 149 so as to provide for discontinuance of political party emblems and to define the term political party.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 184. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 185. To amend further Act No. 531, S. 101, approved September 30, 1947 (General Acts 1947, p. 388) relating to the compensation of registrars, so as to make further provisions respecting payment of such compensation.

Constitution and Elections.

By Messrs. Smith, Watkins, Lybrand, McLain, Bank, Steagall, Turnham and Merrill:

H. 186. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

Constitution and Elections.

By Messrs. Lybrand, Smith, McLain, Bank, Watkins, Steagall, Turnham and Merrill:

H. 187. To amend Code of Alabama 1940, Title 13, Chapter 7, which relates to juvenile courts, so as to raise the maximum age for juvenile court jurisdiction and to revise certain of the rules relative to process of and procedures in such courts; amending Sections 350, 352, 353, 359, 360, 362, 363, 366, and 367.

Judiciary.

By Messrs. Lybrand, Smith, McLain, Bank, Watkins, Steagall, Turnham and Merrill:

H. 188. To amend Code of Alabama 1940, Title 49, Sections 78, 85, and 89, to increase the maximum age for children in the care or custody of individuals or institutions supervised by the state board of public welfare.

Judiciary.

By Messrs. Lybrand, McLain, Smith, Bank, Watkins, Steagall, Turnham and Merrill:

H. 189. To abolish the office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a deputy director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

Judiciary.

By Messrs. Lybrand, McLain, Smith, Bank, Watkins, Turnham and Merrill:

H. 190. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political sub-divisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

Judiciary.

By Messrs. Lybrand, Smith, McLain, Bank, Watkins, Steagall, Turnham and Merrill:

H. 191. To amend further Code of Alabama 1940, Title 52, Sections 590 and 591, so as to raise the age of the boys who may be committed to, received and cared and provided for at the Alabama Boys Industrial School.

State Administration.

By Messrs. Smith, Bank, Watkins, Lybrand, Steagall, Turnham and Merrill:

H. 192. Concerning procedure of state administrative agencies and review of their determinations.

State Administration.

By Messrs. Lybrand, McLain, Smith, Bank, Watkins, Steagall, Turnham and Merrill:

H. 193. To amend the Securities Act of Alabama (Acts 1959, v. 2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

State Administration.

By Messrs. Smith, Lybrand, Bank and Steagall:

H. 194. Providing further for the regulation of transportation companies and public utilities; establishing and providing for a state department of transportation and utilities, a board to be known as the Alabama board of transportation and utilities, and the offices of administrator of transportation and utilities and of executive assistant to such administrator; providing that such department shall be in charge of an administrator who shall be appointed by and serve at the pleasure of and whose actions shall be supervised and controlled by a legislative committee on transportation and utilities, which is hereby created and provided for; prescribing the qualifications, powers, duties, and compensation of the administrator; providing for the appointment of the board of transportation and utilities, and prescribing the powers, duties and authority of such board; prescribing the qualifications, compensation, term of office and duties of the members of such board; prescribing certain procedures for rule, order and decision making by the board of transportation and utilities, regulating hearings before such board, and providing for appeals from its orders, determinations, rules and regulations; abolishing the Alabama Public Service Commission and transferring the functions, funds, personnel, records, equipment, furniture, fixtures and other property and effects, some to the department of transportation and utilities and some to the board.

Transportation.

By Messrs. Cook (Coffee), Smith, Merrill and Lybrand:

H. 195. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

State Administration.

By Messrs. Cook (Coffee), Smith, and Steagall:

H. 196. To be known as the Alabama Consumer Credit Code, relating to certain consumer and other credit transactions and constituting the uniform consumer credit code; consolidating and revising certain aspects of the law relating to consumer and other loans, consumer and other sales of goods, services and interests in land, and consumer leases; revising the law relating to usury; regulating certain practices relating to insurance in consumer credit transactions; providing for administrative regulation of certain consumer credit transactions; making uniform the law with respect thereto; and repealing inconsistent legislation, including the following laws and parts of law:

Code of Alabama 1940: Title 9, § 61, 65, and 66; Title 28, § 296; and Title 51, § 495 as amended by Act No. 680, General Acts of Alabama, Regular Session (1953); and Act No. 374 General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act; and to amend the following laws:

Code of Alabama 1940: Title 9, § 60; and Title 5, § 120.

Rules.

By Mr. Dill:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

State Administration.

By Messrs. Bank, Turnham, Lemley, Owen (Baldwin), Springer, Harris and Crawford:

H. 198. To provide for mandatory inspection of the slaughter of cattle, sheep, swine, goats, equines, and poultry, and the preparation of the carcasses, parts thereof, meat, meat food products, and poultry products of such animals, solely for distribution in this State; for the regulation of related industries; for cooperation with the United States Department of Agriculture; and for penalties for violations, detention, seizure and other enforcement authorities; the designation of the Alabama Department of Public Health as the supervising agency of the State of Alabama and the authorization of the State Health Officer to promulgate rules and regulations relating to all of the aforesaid.

Health.

By Messrs. Bank, Culver, and Brown:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

Local Legislation No. 1.

By Messrs. Banks, Culver, Lybrand, Grayson, McCorquodale and Owens (W.E.):

H. 200. Relating to model glue; prohibiting inhalation and providing a penalty.

Health.

By Messrs. Bank, Culver, Lybrand, Grayson, McCorquodale and Owens (W.E.):

H. 201. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

Health.

By Messrs. Brown, Robertson, Bank and Culver:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Local Legislation No. 1.

By Messrs. Brown, Bank, Robertson, Culver, Smith, Beck, Bolton and Blanton:

H. 203. To amend further Code of Alabama 1940, Title 51, Section 2, which relates to exemptions from ad valorem taxation.

Ways and Means.

By Messrs. Culver, Springer, Bank, Robertson, Laxson, Tuck, Hobbie, Grayson, Crane, Lemley, Ellis, Wood, Wright, Kilgore, Brown, Collier, Starnes and Owens (W.E.):

H. 204: To amend further Code of Alabama 1940, Title 51, Section 388, which relates to exemptions from state income tax, so as to exempt from such tax certain retirement allowances, pensions and annuities paid to firemen and policemen; and providing that the act shall have retroactive effect.

Ways and Means.

By Messrs. Culver, Bank, Robertson, Brown, Laxson, Tuck, Hobbie, Grayson, Crane, Lemley, Ellis, Wood, Kilgore, Starnes and Collier:

H. 205. To make an appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373. of Acts of the Legislature of 1955, Volume II, page 898, approved September 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Ways and Means.

By Messrs. Robertson, Brown, Bank, Grayson, Graham, Burgess, Culver, Holman, Ellis, Owens (W), Headley and Dill:

H. 206. To provide sales and use tax exemptions for certain drugs and medicines purchased by prescription.

Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to notify the House that Senate is now in session and is ready for the transaction of public business.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

ROBERT M. CLECKLER
Secretary to the Governor

May 6, 1969

MESSAGE FROM THE GOVERNOR

TO Members of The Alabama Legislature:

I am pleased to present to you today the first copy of the official Alabama Sesquicentennial Flag. As members of the Legislature of Alabama, I feel it is appropriate and fitting that you should receive this first copy.

This Flag is but one of the symbols of our Sesquicentennial Celebration, but it represents in some measure the significance of this year in which we commemorate the 150th anniversary of our statehood.

I know that you join with me, at this time, in paying tribute to those Alabamians of the past whose energy and devotion have brought our state thus far. We reflect with pride on our past accomplishments—and they are many.

At the same time, I know that you join with me in facing the future with confidence in our ability, our resources, and our creative energy. We truly stand on the threshhold of an age of unparalleled growth and progress as a State and as a people.

Let us look to this Sesquicentennial Flag as a symbol of our pride in the past and our hopes for the future.

RESOLUTIONS

The following resolutions were introduced:

By Mr. House:

H. J. R. 6.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That when the Legislature adjourns today it shall stand in recess until 12 o'clock noon May 20, 1969.

BE IT FURTHER RESOLVED That this recess shall be without pay, per diem, or expenses to the members of the Legislature other than as provided by Act No. 5 of the 1967 Special Session of the Legislature.

On motion of Mr. House, the rules were suspended.

Yeas 70; Nays 7.

Yeas:

Messrs.:	Dill	Hill	Neville	
Adwell	Doss	Holladay	Owen (Baldwin)	
Agee	Edington	Holman	Owens (W)	
Bank	Ellis	House	Perloff	
Bassett	Fine	Jackson (F)	Robertson	
Beck	Foshee	Jackson (T)	Smith	
Berryman (W)	Gafford	Jones	Snell	
Blanton	Garrett	Lybrand	Springer	
Bowers	Gloor	Malone	Steagall	
Brannan	Grainger	Marr	Stubbs	
Cherner	Grayson	Mathews	Tuck	
Collier	Hain	McCorquodale	Turnham	
Collins (C)	Hardin	McDonald	Watkins	
Collins (W)	Harper	McElhaney	Williams	
Cook (Coffee)	Harris	Meeks	Wood	
Cook (Jefferson)	Haygood	Merrill	Wright	
Crane	Headley	Money	Yeilding	
Culver	Higginbotham	Nettles		—70

Nays:

Mr. Speaker	Brown	Meade	Young	
Brassell	Lyons	Pearson		—7

The question then was on the adoption of the H. J. R. 6, and the resolution was adopted.

Yeas 81; Nays 3.

Yeas:

Messrs.:	Dill	House	Owen (Baldwin)	
Adwell	Doss	Jackson (F)	Owens (W)	
Agee	Edington	Jackson (T)	Pearson	
Bank	Ellis	Jones	Perloff	
Bassett	Fine	Laxson	Sessions	
Beck	Foshee	Lybrand	Smith	
Berryman (R)	Gafford	Malone	Snell	
Berryman (W)	Garrett	Manley	Springer	
Blanton	Gloor	Marr	Starnes	
Bolton	Grainger	Mathews	Steagall	
Bowers	Grayson	McCorquodale	Stembridge	
Brannan	Hain	McDonald	Stubbs	
Cherner	Hardin	McElhaney	Tuck	
Collier	Harper	McLain	Turnham	
Collins (C)	Harris	Meade	Watkins	
Collins (W)	Haygood	Meeks	Weeks	
Cook (Coffee)	Headley	Merrill	Wood	
Cook (Jefferson)	Higginbotham	Money	Wright	
Crane	Hill	Nettles	Yeilding	
Crawford	Holladay	Neville	Young	
Culver	Holman			—81

Nays: Mr. Speaker, Lemley and Lyons. —3

Also:

By Mr. Bank:

H. J. R. 7. WHEREAS Jerrie Lybrand, wife of our esteemed colleague Representative Fred R. Lybrand of Calhoun County, has been

selected for the Distinguished Young Woman Award by the Anniston Jaycettes, and

WHEREAS this fine young lady has set an outstanding example for young womanhood in the entire United States, and

WHEREAS she has reflected credit upon her community and the State of Alabama;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby commend Mrs. Lybrand for receiving this much deserved award, from an outstanding civic organization, and express our heartiest congratulations to her, her husband and her three fine children.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Lybrand.

On motion of Mr. Bank the rules were suspended and H. J. R. 7 was adopted.

Also:

By Messrs. Culver, Brown, Bank, Robertson and Weeks:

H. J. R. 8. WHEREAS, the American Legion, the world's largest organization of war veterans, is now observing its 50th Anniversary year in the United States and in its foreign Posts; and

WHEREAS, a distinguished son of Alabama and one of the most devoted members of the Alabama Department of the American Legion, Lewis E. McCray, of Tuscaloosa, is serving as National Vice Commander of the American Legion, the highest Legion rank ever achieved by an Alabamian; and,

WHEREAS, Lewis E. McCray, through his service in the National ranks of the American Legion and in many other fields of civic endeavor, has brought great credit to the state of Alabama; and

WHEREAS, few members in the history of the American Legion can match the record of Lewis E. McCray in having served as Post Commander, District Commander, Area Commander, Senior Vice Commander, Department Commander, Member of National Publication Commission, Vice Chairman of National Legislative Commission, member of Civil Defense Committee of National Security Commission and Chairman of Boys State Committee;

NOW BE IT RESOLVED, that the Legislature of Alabama, with both Houses concurring, commend Lewis E. McCray for his outstanding achievements and for his unselfish service to the Alabama Department of the American Legion and the State of Alabama; and

BE IT RESOLVED, that the Legislature take cognizance of the important role of the American Legion in the civic life of Alabama during this, the Legion's 50th Anniversary year, and that this Legislature pay due respect to the living and deceased war veterans of Alabama; and

BE IT FURTHER RESOLVED, that Lewis E. McCray be invited to address the Legislature of Alabama on behalf of the veterans of Alabama, and the American Legion in particular, as an expression of Alabama's gratitude to the Alabama veterans and to the American Legion, and as an expression of Alabama's appreciation for the notable achievements of Lewis E. McCray in the national affairs of the American Legion; and

BE IT FURTHER RESOLVED, that the day of Vice Commander McCray's appearing be declared American Legion Day and that all Past

Department Commanders and all present Department Officers of the American Legion be invited to attend as guests of the Alabama Legislature.

On motion of Mr. Culver, the rules were suspended and H. J. R. 8 was adopted.

ADJOURNMENT

On motion of Mr. Merrill, the House, in accordance with H. J. R. 6 heretofore adopted, adjourned until Tuesday, May 20, 1969, at twelve o'clock Noon.

SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 20, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Gus W. Young, Retired Baptist Minister, Rock Springs Baptist Church, Graham, Alabama, and member of the House of Representatives.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dill	House	Pearson
Adwell	Dobbs	Jackson (F)	Pennington
Agee	Doss	Jackson (T)	Perloff
Bank	Downing	Kilgore	Pruitt
Bassett	Drake	Lemley	Robertson
Beck	Edington	Lybrand	Sessions
Berryman (R)	Ellis	Lyons	Shumate
Berryman (W)	Fine	Malone	Slate
Blanton	Gafford	Manley	Smith
Bowers	Garrett	Marr	Snell
Brannan	Gloor	Mathews	Springer
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hain	Meade	Tuck
Cameron	Hardin	Meeks	Turnham
Cherner	Harper	Melton	Waggoner
Collier	Harris	Merrill	Watkins
Collins (C)	Haygood	Money	Weeks
Collins (W)	Headley	Nettles	Williams
Cook (Coffee)	Higginbotham	Neville	Wood
Cook (Jefferson)	Hill	Owen (Baldwin)	Wright
Crane	Hobbie	Owens (W)	Yeilding
Crawford	Holladay	Owens (W.E.)	Young
Culver	Holman	Paulk	—99

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative days and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Beck leave of absence was granted to Mr. Starnes due to illness in his family.

MESSAGE FROM THE GOVERNOR

To the House of Representatives of Alabama
Montgomery, Alabama

House Members:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

ROBERT M. CLECKLER,
Secretary to the Governor.

MAY 20, 1969

TO THE LEGISLATURE OF ALABAMA:

As we enter the 1969 Regular Session of the Alabama Legislature I should like to once again commend you on your response to the needs of public education in Alabama during the recently concluded Special Session. I am grateful for your cooperation and work with the Governor's Office in developing and implementing a forward-looking and progressive program for all facets of public education in Alabama.

But a brief look back is all that we can afford at this time. We are faced with many perplexing problems of vital interest and concern to the people of Alabama which require our attention during this Session.

MEDICAID

Perhaps the most important and difficult of these is the implementation of the Title 19 program in Alabama which will provide comprehensive health care for hundreds of thousands of needy citizens. Our studies have indicated that the total cost of this program for the calendar year 1970 will be $106 million of which approximately $22 million will be State funds. We are required to implement this program by January 1, 1970, and the benefits must extend to all persons now eligible for public assistance benefits in our State.

There are those who will say that we should not participate, but a substantial segment of our people are without resources to meet the ever-increasing costs of medical care and services. These are our aged, infirm, blind, physically handicapped and dependent, whose needs we

recognized long ago and whose medical requirements challenge all of us today.

We shall present legislation designed to provide the necessary funds for this program, and we urge your adoption of these measures, both in providing the essential funding and appropriating the necessary monies.

AIR POLLUTION

Even as we are concerned about health care and services for our medically indigent and less fortunate, so also we must be concerned about the health of all of our citizens. This Legislature is presented with a unique opportunity in this regard—the enactment of a workable, viable and strong air pollution control law to protect our citizens from the health hazards created by the discharge of pollutants into the air we breathe.

A fundamental question will be the administration of your enactment. While I recognize that the interests of all those affected by your legislation should be represented on the agency which will administer the act, both officials of public health and industry, I insist that the public must also be represented.

HIGHWAY SAFETY

The appalling toll of deaths on our highways is another area which requires your attention. Several bills will be presented to you dealing with highway safety. We believe that the reduction of highway fatalities, personal injuries and damage to property is a two-fold undertaking: law enforcement and driver education. Our program deals with both areas.

The State Toxicologist's office advises us that the drinking of alcoholic beverages is a factor in more than half our highway fatalities. Thus, I commend to you the "implied consent law" and urge its speedy enactment. Recognizing the drinking driver as the Number One cause of highway accidents in our State, we can do no less than take every possible measure to remove this menace to the safety of our motoring public. We also are hopeful that you will authorize the extension of driver education toward the ultimate objective that it be a required course of study in all public high schools of our State.

PORNOGRAPHY

As air pollution corrupts our health, so pornography corrupts the minds of our youth. There has been offered legislation to prevent and prohibit the sale, distribution and exhibition of pornographic and salacious materials to young people eighteen years of age and younger. Unfortunately, under decisions of the United States Supreme Court we cannot ban the distribution completely, but we can prohibit by law its reaching our young people. I believe you share the common concern of our people toward this problem and that you will respond with the passage of this legislation.

STATE GOVERNMENT OPERATION

Several pieces of legislation will be offered designed not only to make for a more efficient operation of State government, but also a more economical one. You will be asked to enact into law a measure establishing a State Motor Pool. Such a pool has been in operation for a number of months under an Executive Order.

You will also be asked to create a new Division of Management Services within the Finance Department. The principal function of this agency will be to centralize and consolidate State operations in the areas of copying machines, computers, printing and photographic services. We are convinced that a more business-like approach in these areas will result in better services at a dramatically reduced cost.

GENERAL APPROPRIATIONS

The General Appropriation Bill will offer you the opportunity, with accompanying legislation, to provide for the functions of State government for the next biennium. The budget as presented will be balanced and will seek to put the State's monetary resources into the areas where the greatest service can be rendered to our people.

STATE EMPLOYEES

The savings which we have realized through a number of economies —especially the car pool and the bulk purchase of gasoline for State vehicles—have been due in large degree to the cooperation of our splendid State employees. We have long been aware that these dedicated State workers are inadequately paid in comparison with Federal employees and persons doing like work in private industry.

If the State is to respond to the needs of her people, it must depend heavily on the personnel in State service who administer these programs. To retain competent employees and to be able to recruit the qualified personnel needed for the future, we must be competitive in salaries and other benefits which we offer. Accordingly, we shall offer legislation to provide salary increases for deserving employees as well as additional retirement and other fringe benefits.

AD VALOREM EQUALIZATION

For years we have been plagued by the sometimes real, sometimes imagined, inequities which exist in our property tax system. We all recognize that all taxpayers are not treated equally in the assessment of property for ad valorem taxes. So long as any property taxes accrue to the State Treasury (and 6½ mills now do), then each property owner in the State should pay on the same basis, the same percentage of fair market value. You will be offered legislation to effect the equalization of assessments throughout the State based on fair market value. This legislation is not designed to raise taxes but to treat each taxpayer fairly and equitably.

In the event statewide equalization cannot be accomplished, then I will join with those of you who favor removing the State from the property tax field in order that all revenues from this source may remain in the counties where collected for local services.

OTHER LEGISLATION

Legislation has been, or will be, presented to you in many other areas: Constitutional revision, election law reform, a study of the reorganization of State government to reduce the proliferation of State agencies and departments and the fragmentation of services, statutory authorization of the Program Development Office so critical to the future development of Alabama, meat inspection legislation, unemployment and Workmen's Compensation benefits, annual sessions of the Legislature, legislation providing for payment of the prevailing wage on State construction contracts, a code of ethics for government employees and officials, and desperately needed protection for the borrowing public against the unscrupulous tactics and practices of un-

ethical lenders. These measures deserve your careful study and attention and merit your support during this Session.

Probably no Regular Session in our history of our State has offered so many challenges and opportunities for those of us in public service. You have proven your dedication, and I pledge to continue the close personal working relationship on the part of the Governor's Office with you to the end that we may realistically face these problems and, facing them in a constructive manner, solve them.

Respectfully submitted,

ALBERT P. BREWER,
Governor.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 195. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 81. (with substitute). To authorize teachers who have retired under the terms of the Teacher Retirement Act of Alabama, when they are physically and mentally able to do so, to perform duties as substitute teachers in the public elementary and high schools; and to prescribe the maximum amount such teachers may earn as substitute teachers without affecting their status under said act.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 85. To authorize city and county boards of education to use certain public school funds in establishing and maintaining an educational program for children between three and six years of age.

H. 86. To provide that persons employed in an administrative or clerical capacity by the Alabama Association of School Boards may become members of the Teachers' Retirement System of Alabama.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 147. (with substitute). To propose an Amendment to Amendment 202 of the Constitution of Alabama.

The above bill was read a second time at length as required by the Constitution.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 28. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1. (with amendment). Relating to all counties having populations of not less than 48,100 nor more than 49,000 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transfering certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having population of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

H. 24. Further regulating reports and returns relative to the Alabama sales and use taxes; requiring the makers of such reports and returns to show thereon, separately by county, the total amount of their taxable business done in all counties in this State having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census.

H. 25. To grant certain exemptions from local sales and use taxes to residents of all counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to regulate the manner of claiming such exemptions and of reporting and paying the local sales and use taxes when sales hereby exempted from such local taxes have been made.

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

The above bill was read a second time at length as required by the Constitution.

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

H. 75. To provide for the compensation of jurors in Geneva County.

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 91. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

LEAVE OF ABSENCE

On motion of Mr. Jackson (F) leave of absence was granted to Mr. Foshee due to a death in his family.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees as follows:

By Messrs. Owens (W), and Headley:

H. 207. To require the display of the flag of the United States of America and the flag of the State of Alabama over every public building of this state, and to make a conditional appropriation for that purpose.

Ways and Means.

By Mr. Owens (W) (with notice and proof):

H. 208. To provide for the selection of textbooks, and instructional materials for use in the public schools of Bibb County.

Local Legislation No. 1.

Notice and Proof H. 208:

LEGAL NOTICE

State of Alabama, County of Bibb.

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Bibb County the county board of education, upon the recommendation of the county superintendent of education, may select and adopt for use in the tax-supported elementary and high schools in the county textbooks and instructional materials other than the textbooks and materials on the state-adopted list. Whenever textbooks and instructional materials are substituted for the state-approved or state-adopted books and materials, such books and materials shall be used by the teachers in the public schools in teaching any course or courses for which a substitution has been made. Provided, however, the county board of education shall not substitute books or texts or materials for the state-approved or state-adopted textbooks and materials, if such substitution would cause the county board of education to be unable to furnish free textbooks to all students in the system through the twelfth grade.

Section 2. The provisions of Act No. 412, S. 261, Regular Session 1945 (General Acts 1945, p. 647), and of Act No. 22, H. 40, Special Session 1965 (Acts 1965, p. 288), which are inconsistent with this Act are superseded by this Act.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

J. W. OAKLEY, SR.

Sworn to and subscribed before me May 8, 1969.

MARVIN HUETT,
Notary Public.

By Mr. Hardin (with notice and proof):

H. 209. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Local Legislation No. 1.

Notice and Proof H. 209:

NOTICE

Notice is hereby given of intention to apply at the next Regular Session of the Legislature of the State of Alabama for the enactment of a local law in substantially the following form, such law to be effective only in Butler County:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Greenville, Butler County, Alabama, be and the same are hereby altered and rearranged so as to include within the Corporate limits of said City all territory now within such corporate limits, and certain additional territory in Butler County, Alabama, contiguous thereto, so that all the territory which comprises the City of Greenville shall be as follows:

All of Section Ten; all of Section Eleven; the South Half of Section Twelve; all of Section Thirteen; all of Section Fourteen; all of Section Fifteen; the East Half of Section Sixteen; all of Section Twenty-One; all of Section Twenty-Two; all of Section Twenty-Three; all of Section Twenty-Four; all of Section Twenty-Five; all of Section Twenty-Six; all of Section Twenty-Seven; all in Township Ten North of St. Stephens Base Line, Range Fourteen East of the St. Stephens Meridian, in Butler County, Alabama;

ALSO, all of Section Eighteen; and the West Half of Section Nineteen; all in Township Ten North of the St. Stephens Base Line, Range Fifteen East of the St. Stephens Meridian, in Butler County, Alabama.

Section 2. That all laws and parts of laws, general, local or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. That this Act shall be effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Greenville Advocate, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8th, and May 15th, all in the year 1969.

W. E. HARDIN.

Sworn to and subscribed before me May 20th, 1969.

JOYCE NEWTON,
Notary Public.

By Mr. Merrill:

H. 210. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

Judiciary.

By Mr. Lybrand:

H. 211. To provide for the renovation, remodeling, and equipment of certain space in the Capitol building for the use of the members of the House of Representatives and House committees, making an appropriation for such purpose.

Ways and Means.

By Messrs. Merrill and Lybrand:

H. 212. To authorize municipalities to pay hospital and medical expenses of any employee injured in line of duty.

Judiciary.

By Messrs. Lybrand, Burgess, and Merrill:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Ways and Means.

By Messrs. Lybrand, Merrill and Burgess:

H. 214. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. McCorquodale, Owen (Baldwin), Mays, Brannan, Hardin, Smith and Bassett:

H. 215. To amend further Act No. 533, S. 166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

Ways and Means.

By Mr. Snell:

H. 216. To fix the tenure of general officers of the Army and Air National Guard of the State of Alabama:

Military Affairs.

By Mr. Snell:

H. 217. Relating to the state military department and the head thereof; creating the office of commanding general of the state military forces in lieu of the office of adjutant general, which office is hereby abolished; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws; and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Military Affairs.

By Messrs. Snell, Pennington, Bank, Holladay and McCorquodale:

H. 218. Relating to banks and banking; confirming and declaring the public policy of Alabama concerning branch banking; authorizing and confirming branch banking within the geographical confines of one county or within an incorporated municipality when now or hereafter permitted by local law or general law of local application; prohibiting branch banking in any county other than that of the principal place of business of any bank, whether by merger, consolidation, acquisition of stock or property, opening a new branch or otherwise; confirming and prescribing limitations upon the rights of any bank operating within the State to open or acquire additional banks; authorizing and permitting one bank holding companies and prohibiting holding

companies from owning or controlling two or more banks; to provide for the repeal of inconsistent laws heretofore enacted and to provide that any section or provision of this act being held unconstitutional shall not affect the validity of any other section or provision.

State Administration.

By Mr. Mathews:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

Local Legislation No. 1.

By Mr. Mathews:

H. 220. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Local Legislation No. 1.

By Mr. Mathews:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Local Legislation No. 1.

By Mr. Mathews (with notice and proof):

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Local Legislation No. 1.

Notice and Proof H. 222:

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners or like governing body of Coosa County may levy a privilege or license tax on all persons, firms and corporations, selling, distributing or delivering to retailers in Coosa County any malt or brewed beverages (including beer, lager, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) which tax shall be in an amount equal to two cents (2c) on each twelve (12) fluid ounces or fractional part thereof, sold or distributed outside of the town or city limits and outside of the police jurisdiction of any incorporated municipality within the county; and one and one-half cents (1½c) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within the police jurisdiction but outside of town or city limits of any incorporated municipality within the county; and one cent (1c) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within the town or city limits of any incorporated municipality within the county.

Section 2. The privilege or license tax authorized by this act shall be collected by or under the supervision of the court of county commissioners or like governing body of Coosa County. The governing body may provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax authorized by this act, and may also provide reasonable compensation to sellers and distributors of malt or brewed beverages for the expenses of compliance with such rules and regulations. The governing body may employ such personnel as may be needed to collect and enforce the tax and shall fix the compensation and tenure of such personnel.

Section 3. The proceeds of the tax herein levied, when collected in the respective areas of the county shall be used for the public schools of the county, and for general purposes of the county in the following proportionate amounts: All of the tax collected within the town or city limits of any incorporated municipality shall be deposited in the public school fund of the county; of the tax collected outside the town or city limits of any incorporated municipality but within the police jurisdiction thereof, two-thirds (2/3) shall be deposited in the public school fund of the county of the tax collected in the county in areas outside of the town or city limits and outside of the police jurisdiction of any incorporated municipality, one-half (½) of the proceeds shall be deposited in the public school fund of the county. All such monies deposited in the public school fund shall be used solely for public school purposes of Coosa County. All of the remainder of the tax shall be deposited in the general funds of the county for general purposes of the county.

Section 4. Any person, firm or corporation who violates any provision of this act or the rules and regulations provided by the governing body of Coosa County shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 5. Any person, firm or corporation who fails to pay the tax herein levied within the time prescribed by this act shall pay, in addition to the tax, a penalty of ten percent (10%) of the amount of tax, together with interest thereon at the rate of one-half of one percent per month or fraction thereof, from the date at which the tax herein levied became payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws which conflict with this act are repealed.

Section 8. This act shall become effective on the first day of the first month immediately after its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Mr. Mathews (with notice and proof):

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

Local Legislation No. 1.

Notice and Proof H. 223:

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

To confer additional powers on the Circuit Clerk of Coosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Clerk of Coosa County shall have the power to take oaths in support of complaints and to issue warrants in all criminal cases, provided that such warrants shall be made returnable to a Court having original jurisdiction of the offense charged.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Mr. Mathews (with notice and proof):

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Local Legislation No. 1.

Notice and Proof H. 224:

STATE OF ALABAMA
COUNTY OF COOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

AN ACT

To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any spirituous or vinous liquors to be sold in Coosa County other than in a State liquor store.

Section 2. It shall be unlawful for any malt or brewed beverages to be sold for consumption on the premises where sold in Coosa County.

Section 3. Any person who violates any provision of this Act shall be guilty of a misdemeanor and upon conviction, shall be punished as prescribed by law.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Mr. Mathews:

H. 225. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Ways and Means.

By Messrs. Cook (Coffee), Lybrand, Wright, Nettles, Manley, Lemley and Smith:

H. 226. To fix the salary of the Attorney General.

Ways and Means.

By Mr. Cook (Coffee):

H. 227. Relating to banks and banking; requiring certain proof of responsibility to effect a change in control of any state bank or trust company; providing penalties for violations.

State Administration.

By Mr. Cook (Coffee):

H. 228. Relating to the state banking department; amending Section 9 of Act No. 204, H. 30, Regular Session 1955 (Acts 1955, p. 497), so as to provide further for the authority and duties of the deputy superintendent of banks.

State Administration.

By Mr. Cook (Coffee):

H. 229. To amend Title 5, Section 118, Code of Alabama 1940, in relation to the powers of banking and trust companies.

State Administration.

By Mr. Cook (Coffee):

H. 230. Relating to banks and banking; providing further for the qualifications of directors of certain banks; amending Code of Alabama 1940, Title 5, Section 185.

State Administration.

By Mr. Cook (Coffee):

H. 231. Amending Section 251, Title 5, Code of Alabama 1940, so as to make further provisions respecting distribution and use of fees and assessments collected by the state banking department from savings and loan associations.

State Administration.

By Mr. Cook (Coffee):

H. 232. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

State Administration.

By Mr. Cook (Coffee):

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

Local Legislation No. 1.

By Mr. Cook (Coffee):

H. 234. Providing for adequate brakes on railroad equipment and providing penalties for violation thereof:

State Administration.

By Mr. Cook (Coffee):

H. 235. To regulate speed of railroad equipment and to provide penalties for violations thereof:

State Administration.

By Messrs. Graham and Berryman(W):

H. 236. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Judiciary.

By Messrs. Drake, Berryman (W), Meade, Beck and Berryman (R):

H. 237. To amend Act No. 580, H. 379, Regular Session 1965 (Acts 1965, v. 2, p. 1077) further regulating purchasing by or for the use of the state highway department.

Ways and Means.

By Messrs. Drake, Brannan, Harper, Collier, Jackson (F), Tuck, Smith, Beck, McCorquodale and Kilgore:

H. 238. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

Ways and Means.

By Messrs. Drake, Bassett, Culver, Laxson, Neville, Graham, Grayson, Hobbie, Collier, Agee, Stembridge, and Tuck:

H. 239. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts 1953, p. 240).

Agriculture.

By Mr. Drake:

H. 240. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of livestock and poultry from the State sales and use tax.

Ways and Means.

By Mr. Drake (with notice and proof):

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Notice and Proof H. 241: Local Legislation No. 1.

LEGAL NOTICES

A BILL
TO BE ENTITLED
AN ACT

Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In Cullman County the returning officer, the inspectors and the clerks for elections shall be entitled to ten dollars ($10.00), and their several claims shall be paid as preferred claims out of monies in the county treasury not otherwise appropriated on proper proof of service rendered. The returning officer shall also be entitled to mileage as otherwise prescribed by law.

Section 2. All laws or parts of laws in conflict with this act, whether local, general or special, are hereby repealed as to Cullman County.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 18, March 25, April 1, and April 8, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me April 8, 1969.

SUE EVANS,
Notary Public

My commission expires May 21, 1972.

By Mr. Drake (with notice and proof):

H. 242. To provide for the compensation of jurors in Cullman County.

Local Legislation No. 1.

Notice and Proof H. 242:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Cullman County.

Be It Enacted by the Legislature of Alabama:

Section 1. Regular jurors, grand and petit, serving in Cullman County are entitled to ten dollars for each day's services, five cents

for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
CULLMAN COUNTY.

Before me, the undersigned authority in and for said County and State, personally appeared MARC MILLER, publisher of THE CULLMAN TRIBUNE, a weekly newspaper published in Cullman, Cullman County, Alabama and being duly sworn says that the notice of which the attached is a true copy, was published in said newspaper once a week, for 4 successive weeks and being in the issues of said newspaper of the following dates, viz: March 20 and 27 and April 3 and 10.

MARC MILLER,
Publisher.

Sworn to and subscribed before me this, the 19th day of May 1969.

CHRISTINE M. DRAKE,
Notary Public.

By Mr. Drake (with notice and proof):

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Local Legislation No. 1.

Notice and Proof H. 243:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, as amended, is further amended to read as follows:

"Section 7. All persons employed by the State Highway Department in the administration of this Act shall be employed subject to the State Merit System Act. The resident engineer in charge of county roads shall be paid an expense allowance of $100 per month in addition to his salary. Such allowance shall be paid out of the county's gasoline tax funds before the same are turned over to the State Highway Department. At least one person may be employed in Cullman County by the department in the Merit System Classification of Highway Superintendent 11. Any resident of Cullman County who is on the register of eligibles established by the personnel director for the position of Highway Superintendent 11 shall be given preference over every other person whose name is on the register.

"The Cullman County commission shall provide and maintain necessary office space including furniture, equipment, supplies and telephone service for a county highway engineer's office in the county courthouse, the cost therefor to be paid from county funds. The state highway department shall provide and pay the salaries of such office personnel as may be necessary to staff such office, and the resident engineer in charge of county roads shall designate which of the state personnel shall occupy the office. Such personnel shall maintain regular office hours at all times when the courthouse is open for business."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 20, March 27, April 3, and April 10, all in the year 1969.

MARC MILLER.

Sworn to and subscribed before me May 19, 1969.

CHRISTINE M. DRAKE,
Notary Public.

By Mr. Drake (with notice and proof):

H. 244. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 244:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
BY THE LEGISLATURE
OF ALABAMA:

To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45) creating the Cullman County Commission on Education and establishing the office of Superintendent of County Schools, is amended to read as follows:

"Section 3. A superintendent of county schools shall be elected by the qualified electors of Cullman County at the general election in November, 1958, and every four years thereafter. The superintendent of county schools shall take office on the first day of July next succeeding his election. No person shall be eligible for appointment, for political party nomination, or for election to the office of superintendent of county schools who does not hold a Masters degree, or equivalent, and does not submit. proof to the State Superintendent of Education of at least six years of successful teaching experience preceding his appointment or election. His term of office shall be for four years, and he shall be removed only by impeachment in the manner prescribed by law. He shall receive an annual salary and the neccessary expenses of traveling in the performance of his official duties. His salary shall be fixed by the Cullman County Commissiion on Education, at a sum of not less than Seventy Five Hundred Dollars per annum."

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said

notice having appeared in the issues of said paper on March 20, March 27, April 3, and April 10, all in the year 1969.

MARC MILLER.

Sworn to and subscribed before me May 19, 1969.

CHRISTINE M. DRAKE,
Notary Public.

By Mr. Drake (with notice and proof):

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

Local Legislation No. 1.

Notice and Proof H. 245:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CULLMAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 7 of Act. No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act relating to the Cullman County sales and use tax law is amended to read as follows:

"Section 7. The state department of revenue shall charge Cullman County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenues and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten per cent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Cullman County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him in to the state treasury for the benefit of Cullman County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state

treasury for the benefit of Cullman County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public schools funds of Cullman County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Cullman County shall deposit the revenue derived from the taxes levied herein in a special account separate and apart from other public school funds of the county and shall maintain separate records of such special account. The county board of education shall require an additional bond of the custodian of public school funds, in an amount to be prescribed by the board of education and payable to the board and conditioned as prescribed by law. Such additional bond shall be filed and recorded in the office of the judge of probate of the county. The premiums on such bond shall be paid from any school funds derived hereunder. The net proceeds derived from the taxes levied by this Act shall be distributed as follows: The custodian of public school funds shall pay annually to the governing body of Cullman County and to the City of Cullman each the sum of $12,500 which shall be payable at the rate of $1,000 per month for eleven months and $1,500 for the twelfth month. Funds payable to the county governing body shall be paid into the county general fund and funds payable to the City of Cullman shall be paid to the city treasurer. Such funds shall be kept separate and apart from other funds and shall be used exclusively for the purpose of promoting industrial development or for recreational purposes. Exclusive of the $25,000 heretofore allocated to the county governing body of Cullman County and the City of Cullman to be used for the purpose of promoting industrial development or for recreational purposes, the remaining proceeds shall be divided equally between the board of education of Cullman County and the City of Cullman payable on a monthly basis. The board of education's share of the proceeds shall be used exclusively for educational purposes, including transportation, capital outlay, maintenance and upkeep of buildings and current expenses other than teachers' salaries. The city's share of the proceeds other than that specifically allocated by this Act for the promotion of industrial development and for recreational purposes shall be used for general municipal purposes."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Marc Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Tribune, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

MARC MILLER.

Sworn to and subscribed before me May 19, 1969.

CHRISTINE M. DRAKE,
Notary Public.

By Mr. Blanton:

H. 246. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Hain, Stembridge, Cameron, Harris, Brassell, Neville, Blanton, McElhaney and Holladay:

H. 247. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in ..... adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $5,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $5,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and

collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1956 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hain, Stembridge, Cameron, Harris, Brassell, Neville, Blanton, McElhaney and Holladay:

H. 248. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $5,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Blanton and Hain (with notice and proof):

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y.M.C.A. building.

Local Legislation No. 1.

Notice and Proof H. 249:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF DALLAS.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y.M.C.A. building.

Be It Enacted by the Legislature of Alabama:

Section 1. The county governing body of Dallas County may in its discretion appropriate county funds and make contributions of public funds, not to exceed $45,000 to aid the Y.M.C.A. of Selma in the construction of a Y.M.C.A. building.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the Selma Times-Journal, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 8th day of May, 1969.

JOSEPHINE K. TIPTON,
Notary Public.

By Messrs. Blanton and Hain (with notice and proof):

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Local Legislation No. 1.

Notice and Proof H. 250:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF DALLAS.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No.

51, S. 12, Local Acts of Alabama 1931, p. 15) is hereby amended to read as follows:

"Section 1. The Court of County Revenues of Dallas County, Alabama shall sit in regular session on the second Monday of each month; and oftener, if necessary, for the transaction of the county business, on the call of the probate judge."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the SELMA TIMES-JOURNAL, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 8th. day of May, 1969.

JOSEPHINE K. TIPTON,
Notary Public.

By Messrs. Beck and Meade (with notice and proof):

H. 251. An act relating to the municipality of the City of Fort Payne, in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Local Legislation No. 1.

Notice and Proof H. 251:

NOTICE

Notice is hereby given that a local act, law or bill will be introduced in the Legislature of the State of Alabama at the Regular Session of the Legislature for the purpose of and in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

An Act relating to the municipality of the City of Fort Payne in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Fort Payne in DeKalb County are hereby altered, re-arranged and extended to include within the corporate limits of the City of Fort Payne the following described territory in addition to that already within the corporate limits, to-wit:

Beginning at the Southwest corner of Section 20, Township 6 South, Range 9 East of the Huntsville Meridian in DeKalb County, Alabama, run in an Easterly direction to the Southeast corner of the SW ¼ of the SW ¼ of Section 21, Township 6 South, Range 9 East; thence run in a Northeasterly direction to the Southwest corner of the SE ¼ of the SE ¼ of Section 10, Township 6 South, Range 9 East; thence run in an Easterly direction to the Southeast corner of Section 11, Township 6 South, Range 9 East; thence run in a Northwesterly direction to the Northwest corner of said Section 11; thence run in a Southwesterly direction diagonally across Sections 10, 16 and 20 of Township 6 South, Range 9 East to the point of beginning. Said area of land lying immediately adjacent to the existing corporate limit line of the City of Fort Payne in DeKalb County, Alabama.

Section 2. This act shall become effective immediately upon the passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Charles E. Hurley, Gen. Mgr. of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of April 3, 10, 17, 24, 1969.

CHARLES E. HURLEY,
Gen. Mgr.

Sworn to and subscribed before me this 19th day of May, 1969.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1973.

By Messrs. Malone and Wright:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

Local Legislation No. 1

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Local Legislation No. 1

Notice and Proof H. 253:

LEGALS

STATE OF ALABAMA
GENEVA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Hartford in Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Hartford in Geneva County are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of the town, all territory now embraced within such corporate limits and also certain other additional and adjacent territory in said county, as follows:

Section 36, Section 25, the E½ of Section 26, and the E½ of Section 35 of Township 2 North, Range 23 East; and the N½ of Section 1, and the NE¼ of Section 2, of Township 1 North, Range 23 East; and Section 30, Section 31, W½ of the W½ of Section 29, and the W½ of the W½ of Section 32, all in Township 2 North, Range 24 East.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
GENEVA COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times mentioned herein he was publisher of the News-Herald, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me May 16, 1969.

GENE M. ANDREW,
Notary Public.

By Messrs. Crawford and Stembridge:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Local Legislation No. 1

By Messrs. Crawford and Stembridge:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Local Legislation No. 1

By Messrs. Crawford and Stembridge:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Local Legislation No. 1

By Mr. Tuck (with notice and proof):

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Local Legislation No. 1

Notice and Proof H. 257:

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Be It Enacted by the Legislature of Alabama:

Section 3 of Act No. 149, H. 441, approved June 29, 1951 (Acts 1951, p. 883), as amended by an act approved September 30, 1959, is hereby amended so as to read as follows:

"The chairman of the Court of County Commissioners shall be the purchasing agent for the county and shall receive a salary of five hundred dollars per month for the performance of his duties as chairman and as county purchasing agent."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene Co. Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-17, 4-24, 5-1, and 5-8, all in the year 1969.

RICHARD K. MARTIN.

Sworn to and subscribed before me 19 day May, 1969.

BETTY DIAL CHANDLER,
Notary Public.

By Mr. Tuck (with notice and proof):

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

Local Legislation No. 1

Notice and Proof H. 258:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

One parcel of land situated and lying in the Northeast quarter (NE¼) of the Northeast quarter (SE¼) of Section 8, and the Southeast quarter (SE¼) of the Southeast quarter (SE¼) of Section 5, Township 20 South, Range 13 West in Pickens County, Alabama more particularly described as follows: Beginning at a point 507 feet West of the Northeast corner of Section 8 and from this point run West along the Section line 273 feet; thence run South, perpendicular to the Section line 2 feet 6 inches and from this point run in a South westerly direction along the South land line of James E. Sullivan's property a distance of 150 feet; thence run North crossing the section line to the Northern boundary of James E. Sullivan's property a distance of 248 feet, intersecting the North line of James E. Sullivan's property at a point 613.40 feet East of a hub on old highway No. 82 and from this point, run East along the North line of property now owned by James E. Sullivan a distance of 200 feet and thence run South 4 feet 6 inches; thence run East parallel with section line 273 feet; thence run South 247.4 feet to the point of beginning, and which borders the North Corporate Limit Line of the Town of Gordo.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Daisy J. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Pickens County Herald, a newspaper

of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, April 24, May 1, and May 8, all in the year 1969.

DAISY J. JUNKIN.

Sworn to and subscribed before me May 8, 1969.

EUTEAL V. JUNKIN,
Notary Public.

By Mr. Tuck (with notice and proof):

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Local Legislation No. 1.

Notice and Proof H. 259:

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Greene County is hereby relieved of the responsibility of furnishing office space, equipment and supplies to the county board of education or the county superintendent of education. The county governing body shall appropriate the sum of $4,000.00 to be paid annually to the county board of education for the purpose of providing such space, equipment and supplies. The first payment shall begin on or about October 1, 1969, and every year thereafter.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-17, 4-24, 5-1, and 5-8, all in the year 1969.

RICHARD K. MARTIN.

Sworn to and subscribed before me 19 of May, 1969.

BETTY DIAL CHANDLER,
Notary Public.

By Messrs. Jackson (T), Crane and Dill:

H. 260. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

Ways and Means.

By Mr. Jackson (T):

H. 261. To amend Code of Alabama 1940, Title 27, Section 3, which relates to consent to adoption of children; amending such section in relation to the consent required in case of illegitimacy.

Health.

By Mr. Jackson (T):

H. 262. To provide for the inclusion of reasonable fees for attorneys prosecuting the cause in a judgment rendered in a suit upon an open account.

Judiciary.

By Mr. Jackson (T):

H. 263. Relating to taxation, making further exemptions from state sales and use taxes.

Ways and Means.

By Mr. Jackson (T):

H. 264. To require the inclusion of reasonable fees or compensation for attorneys presecuting the cause in any judgment rendered against an insurer in a suit on a policy or contract of insurance or annuity contract.

Judiciary.

By Messrs. Ellis, Grainger, Hill, Adwell, Robertson, Culver, Owens (W), Waggoner, Agee, Snell, Harris, Smith, Crane, Dill, Jackson (T), Kilgore, Burgess, Shumate, Dobbs, Holman and Sessions:

H. 265. To bring certain schools, colleges, and universities under the provisions of the state purchasing law, Act No. 343, H. 71, Regular Session 1957 (Acts 1957, p. 452), further amending Sections 1 and 2 of said act; and repealing conflicting laws.

Education.

By Mr. Ellis:

H. 266. To encourage and promote the development of traffic engineering for the safe, convenient and economical movement of people and goods on public highways and streets; providing for establishment and operation of a bureau of traffic engineering in the state highway department and traffic engineering officers, offices, and departments in counties, cities and towns.

Highway Safety.

By Mr. Ellis:

H. 267. To amend Code of Alabama 1940, Title 51, Section 15 relating to the exemption of homesteads from state ad valorem taxes, so as to provide additional exemptions for persons over sixty-five years of age.

Ways and Means.

By Mr. Ellis:

H. 268. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Ways and Means.

By Mr. Ellis:

H. 269. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

State Administration.

By Messrs. Cherner, Dill, Grayson, Ellis, Smith, Blanton, Bank, Yeilding, Springer, Wright and Malone:

H. 270. Relating to certain schools or courses of instruction publicized, sold, offered for sale or administered to residents of this State; prescribing certain requirements relative to the solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the state board of education; authorizing the state board of education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the board; and providing penalties for violations.

Education.

By Messrs. Cook (Jefferson), House, McCorquodale, Snell, Cook, (Coffee), Beck, Ellis, Merrill, Jackson (F), Bowers, Gloor, Adwell and Waggoner:

H. 271. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Transportation.

By Mr. Dill:

H. 272. To amend Code of Alabama 1940, Title 3 A, Section 2-314, in relation to implied warranties.

Judiciary.

By Messrs. Dill, Gafford, Adwell, Bowers, Jackson (T), Weeks, Holman, Waggoner, Kilgore, Watkins, House, Gloor, Money, Sessions, Cherner, Cook (Jefferson), Ellis and Crane:

H. 273. To provide for the compensation to be paid circuit juidges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Local Legislation No. 2.

By Messrs. Dill, Crane, Sessions, Yeilding, Cherner, Gafford, Ellis, Jackson (T), Waggoner, Holman, Weeks, Kilgore, Cook, (Jefferson), Brown, Robertson, Culver, Cook (Coffee), McCorquodale, Stembridge, Crawford, Neville, Money, Grainger, Bank, Manley, Tuck and Burgreen:

H. 274. To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

Education.

By Mr. Berryman (R):

H. 275. Relating to Lawrence County; exempting plants and herbicides from the county sales and use taxes levied by Act No. 25, H. 18, First Special Session 1959, as amended (Acts 1959, p. 54).

Local Legislation No. 1.

By Messrs. Berryman (R), Dobbs, Bank, Berryman (W), Drake, Culver, Haygood, Hill, Stubbs, Headley, Lemley, Robertson, Burgreen and Wright:

H. 276. To provide further for the collection of unpaid wages; authorizing the director of labor to take assignments in trust of certain wage claims and thereafter to settle, adjust and collect such claims, through suits at law, if necessary; to provide for and regulate such suits; to forbid an employer's exempting himself, by contract, from this Act.

Business and Labor.

By Messrs. Higginbotham, McElhaney, Hardin, Paulk, Snell, Hobbie, Springer and Watkins:

H. 277. To require the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, departments or boards; to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith, subject to the judicial review contained in the Act; to set forth the method of making the determination of "prevailing wages," and the persons who are to make such determination; to provide for judicial review of such determination of prevailing wages by any contractor desiring to enter into a contract with the State of Alabama or any agency, department or board thereof, who is dissatisfied with the specification of wages contained in such contract; to provide for the method of such judicial review and to specify such judicial proceedings.

Business and Labor.

By Mr. Turnham:

H. 278. To authorize county and city boards of education to use certain portions of federal funds allocated pursuant to Title 1 for part payment of the salaries and expenses of certain county and city superintendents of education, and to provide for the determination of such proportionate amounts.

Education.

By Messrs. Grainger, Cook (Jefferson), Ellis, Cook (Coffee), Jones, McLain, Dill, Manley, Williams, Lybrand, Tuck, Malone, Money, Smith, Beck, Lemley, Lyons, Turnham, Collins (C), Headley, Owens (W), Hain, Jackson (F), Mays, Berryman (R), Burgreen, Edington, Bank, McElhaney, Weeks, Watkins, Adwell, Sessions, Cherner, Slate, Doss, Graham, Meade, Crane, Drake, Hill and Haygood:

H. 279. To promote safe transportation of pupils to and from schools and in school related activities; to direct the state board of education to

prescribe certain rules and regulations designed to promote this purpose; to provide for school transportation managers or supervisors; to prescribe certain equipment for school buses; to provide for safety inspection of school buses; to provide for special training and licensing of school bus drivers; and to prescribe penalties.

Health.

By Messrs. Pennington, McCorquodale, Snell, Manley, Cook (Coffee), Merrill, Berryman (W), Bank, Holladay and Grainger:

H. 280. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

Ways and Means.

By Messrs. Fite, Snell, House, Manley, Cook (Coffee), Berryman (W) and Pennington:

H. 281. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of taxes heretofore levied with respect thereto; to provide that said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the State Treasury.

Ways and Means.

By Messrs. Fite, Snell, House, Manley, Cook (Coffee), Berryman (W) and Pennington:

H. 282. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

Ways and Means.

By Messrs. Fite, Snell, House, Manley, Cook (Coffee), Berryman (W) and Pennington:

H. 283. To raise revenue by levying a privilege or excise tax, in addition to all taxes and licenses now imposed by law, on every person licensed under the provisions of Title 29 of the Code of Alabama (1940), as amended, who sells, stores, or receives for the purpose of distribution, malt or brewed beverages; to provide for the collection and distribution of the proceeds of said tax.

Ways and Means.

By Mr. Fite:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

Local Legislation No. 1.

By Mr. Fite:

H. 285. To regulate further disciplinary action against attorneys under certain circumstances.

Judiciary.

By Mr. Perloff (with notice and proof):

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

Local Legislation No. 3.

Notice and Proof H. 286:

LEGAL NOTICE

State of Alabama, County of Mobile. Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County. Be it enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Prichard in Mobile County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within the corporate limits of the city, the following described property:

Commencing on the present city limits or boundary line at the Southeast corner of Craftview Court Subdivision of Prichard, Mobile County, Alabama; thence directly Eastwardly along the boundary line of the City of Mobile to the point of intersection of the West boundary line of West Highlands Subdivision; thence Northwardly along the West boundary line of West Highlands Subdivision to the North boundary line of said subdivision; thence Eastwardly along the North boundary line of West Highlands Subdivision to the Southwest corner of the Semlar Subdivision which is a point on the present boundary line of the City of Prichard; thence along the present boundary line of the City of Prichard, NO9° 15'W, 630 feet; thence N86° 15'W, 1320 feet; thence S73° 33'W, 1200 feet; thence S46° 27'E 90 feet; thence S43° 33'W, 190 feet. thence S46° 57'E 1290 feet to the Southeast corner of Craftview Court which is the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E E Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Press Register, Inc., a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a

week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 9, April 16, April 23, and April 30, all in the year 1969.

E E KOCH.

Sworn to and subscribed before me May 7, 1969.

S S GATLIN,
Notary Public.

By Mr. Perloff (with notice and proof):

H. 287. To amend further Act No. 40, S. 4, of the Second Special Session of 1956 (Acts of 1956, p. 328) which creates and establishes the Court of General Sessions of Mobile County, so as to regulate further the duties of the judges and the clerk of such court, to enlarge the court's civil jurisdiction and to authorize the payment of cash deposits into the court in lieu of making bail and appeal bonds.

Local Legislation No. 3.

Notice and Proof H. 287:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 40, S. 4, of the Second Special Session of 1956 (Acts of 1956, p. 328) which creates and establishes the Court of General Sessions of Mobile County, so as to regulate further the duties of the judges and the clerk of such court, to enlarge the court's civil jurisdiction and to authorize the payment of cash deposits into the court in lieu of making bail and appeal bonds.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3, as amended, Section 6, as amended, Section 8, as amended, Section 18, and Section 21, as amended, of Act No. 40, S. 4, of the Second Special Session of 1956 (Acts of 1956, p. 328) which creates and establishes the Court of General Sessions of Mobile County, are hereby amended or further amended to read as follows:

"Section 3. The judges of the Court of General Sessions shall hold office for terms of six years and until their successors are elected and qualified. They shall be elected at the general election to be held in November, 1960, and every six years thereafter, and shall be installed in office on the first Monday after the second Tuesday in January next following their election. They shall qualify by taking the oath of office prescribed for other judicial officers by the Constitution of Alabama. Each judge shall receive as compensation for hie services as judge of the Court of General Sessions of Mobile County, an annual salary of twelve thousand dollars ($12,000.00) which shall be paid in equal monthly installments out the general fund of Mobile County, Alabama. Each of the judges of the court shall devote his whole time to the duties of his office and such judges shall not prosecute or defend any action, suit, case or proceeding in any court of this state or the United States nor otherwise engage in the practice of law.

"Section 6. All prosecutions instituted in the Court of General Sessions of Mobile County shall be begun by affidavit and warrant. All trials in the Court of General Sessions shall be by the judge without a jury, and the judge shall determine the law and the facts. If, however, a defendant demands a trial by jury, the case shall not be tried in the Court of General Sessions; and the defendant must be required to enter into bond with good sureties, conditioned for his appearance at the next session of the circuit court to answer the charge, or in lieu of such bond he may make a cash deposit to guarantee such appearance. If any such defendant fails to give such bond or make such deposit he must be committed to the county jail until the next session of the circuit court. In cases tried in the Court of General Sessions, the defendant, if convicted, shall have the right to appeal to the next ensuing session of the circuit court, on entering into bond, with sufficient sureties, in such sum as the court may require, conditioned that he will appear at the court to which the appeal is taken, until discharged by due process of law or in lieu of such bond he may make a cash deposit to guarantee such appearance. If the defendant fails to make such bond or cash deposit he shall be confined in the county jail until tried, Except as otherwise provided herein, all pleading and procedure in the Court of General Sessions, in criminal cases, shall be regulated the same as in the county courts as provided by Chapter 6, of Title 13, Code of Alabama (1940).

"Section 8. The Court of General Sessions of Mobile County shall have and exercise civil jurisdiction according to the general law of Alabama concurrently with the justices of the peace in all precincts in Mobile County outside the limits of the City of Mobile, and the said Court shall have and exercise civil purisdiction in Mobile County concurrently with the Circuit Court of Mobile County in all civil matters where the amount in controversy does not exceed one thousand five hundred dollars. The Court shall not have jurisdiction in equity nor of actions of libel, slander, assault and battery, ejectment and actions in the nature of ejectment. Nothing in this Act shall be construed to give the judges of the Court of General Sessions of Mobile County any authority to grant writs of certiorari, supersedeas, quo warranto, prohibition or mandamus, injunction or ne exeat.

"Section 18. The clerk shall have the authority to fix bail in criminal cases on warrants issued by him in which cases persons are entitled to bail under the law; and to approve all bonds in civil and criminal cases or accept and safely keep all cash deposits in lieu of such bonds; to enter all judgments of said court; and to certify all appeals, certiorari and transcripts. The court shall also have a seal, which the clerk shall keep in his office. In addition, he shall have all the powers and authority which are now or may hereafter be vested in the clerk of the circuit court which may be necessary for the proper conduct of the Court of General Sessions. The clerk shall also have the power to appoint deputies with full power to transact all business of such clerk. It shall be the duty of the clerk to assess all costs and to collect all fines, forfeitures, penalties and fees provided by the general law for justices of the peace in like cases. It shall also be his duty to accept all monies, tendered in satisfaction of judgments in garnishment proceedings, whether such payments are in full or partial satisfaction of such judgments. The clerk shall pay all money collected by him into the county treasury of Mobile or to the person lawfully entitled to receive the same. It shall be the duty of the clerk to report and pay such money collected by him to the county treasury or to the person lawfully designated or entitled to receive the same on the first day of each month after the date of his last report.

"Section 21. Any party desiring to appeal from any judgment, shall give bond with sureties to be approved by the clerk, and payable to the party in whose favor the judgment was rendered, conditioned to

pay and satisfy such judgment and costs as may be taxed against him in the circuit court or in lieu of such bond any party desiring to so appeal may make a cash deposit with the clerk of the court. All such bonds or cash deposits shall be in amounts fixed by law and shall be filed with and approved by the clerk within five days from the rendition of the judgment from which the appeal was taken, except that, in the case of an appeal from a money judgment, the bond given or the cash deposited shall be in an amount equal to the amount of such judgment and the costs of court."

Section 2. This Act shall become effective immediately open its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 16th, 23rd, 30th, and May 7th, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me May 19, 1969.

S. S. GATLIN,
Notary Public.

By Messrs. Downing, Hobbie, Grayson and Watkins:

H. 288. To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subject to future change by the legislature; to restrict the assignabillity

of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

Business and Labor.

By Mr. Downing:

H. 289. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Ways and Means.

By Mr. Downing:

H. 290. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Downing:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Local Legislation No. 3.

By Messrs. Downing and Grayson:

H. 292. Relating to homestead exemptions; amending Code of Alabama Title 51, Section 15 so as to increase the amount of the exemption to $5,000 in assessed value.

Ways and Means.

By Messrs. Wood, Downing and Grayson:

H. 293. To establish minimum wages in Alabama; and to provide penalties for violations of the Act.

Business and Labor.

By Messrs. Downing, Grayson and Wood:

H. 294. To regulate further elections; to provide for the placing on the ballots used in general elections for presidential and vice-presidential electors of the names of candidates for President and Vice-President of the United States who have been nominated and their nominations certified to the secretary of state in the manner prescribed in this act; and to make further provisions respecting the placing on the ballot of the names of candidates for electors for President and Vice-President.

Constitution and Elections.

By Mr. Edington:

H. 295. To amend Code of Alabama 1940, Title 9, Section 60 relating to rates of interest to provide that interest on contracts shall not exceed ten dollars upon one hundred dollars for one year.

State Administration.

By Messrs. Cameron, Springer, McCorquodale, McElhaney and Harris:

H. 296. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Ways and Means.

By Messrs. Cameron, Springer, McCorquodale, McElhaney, Harris and Hobbie:

H. 297. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Ways and Means.

By Messrs. Harris, Smith, Culver, Collier, Young, Brown, Bassett, McElhaney, Hobbie, Springer, Paulk and Jackson (F):

H. 298. To amend further Code of Alabama 1940, Title 22, Section 208, as amended, which pertains to "EMPLOYEES OF THE MILK CONTROL BOARD" so as to bring said employees under the provisions of the Merit System Act.

Agriculture.

By Messrs. Harris, Smith, Culver, Collier, Young, Brown Bassett, McElhaney, Hobbie, Springer, Paulk and Jackson (F):

H. 299. To amend further Code of Alabama 1940, Title 22, Section 226, as amended, which pertains to CERTIORARI TO REVIEW, so as to provide for additional time for appeal from Milk Control Board orders.

Agriculture.

By Messrs. Harris, Smith, Culver, Collier, Young, Brown, Bassett, McElhaney, Hobbie, Springer, Paulk and Jackson (F):

H. 300. To amend further Code of Alabama, Title 22, Chapter 7, which is known as the Milk Control Board Law, so as to require the Milk Control Board to make, reduce to writing, and record in its minutes a finding of fact on which its orders are based, prior to the issuance of such orders.

Agriculture.

By Messrs. Hobbie, Culver, Smith, Harris, Collier, Brown and Jackson (F):

H. 301. To amend further Code of Alabama 1940, Title 22, Section 213, as amended, which pertains to "LICENSES TO PRODUCERS, PRODUCER-DISTRIBUTORS, STORES, MILK DEALERS, DISTRIBUTORS, BOB-TAILERS AND COOLING STATIONS," so as to bring "Bulk Milk Tank Drivers" and "Bulk Milk Tank Haulers" within the provision of said section.

Agriculture.

By Messrs. Hobbie, Smith, Harris, Culver, Collier, Brown and Jackson (F):

H. 302. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of Bulk Milk Tank Driver and Bulk Milk Tank Hauler.

Agriculture.

By Messrs. Hobbie, Culver, Smith, Harris, Collier, Brown and Jackson (F):

H. 303. To amend further Code of Alabama 1940, Title 22, Section 220, as amended, which pertains to "Executive Secretary and Financial Officer", so as to fix the maximum compensation of the Executive Secretary at $12,500 and to further require a bond in such amount as may be fixed by the Treasurer, not to exceed $12,500, as may be provided by law for public officers.

Agriculture.

By Messrs. Hobbie, Cameron, Culver and Brown:

H. 304. To amend Section 19 of Act No. 108. H.B. 152, approved August 26, 1959 (Acts 1959, v. 1., p.168), an act relating to the practice of chiropractic so as to require the completion of fifteen hours annually of professional educational work to be approved by the state board of chiropractic examiners as a condition for the renewal of certificates of qualification to practice chiropractic.

Health.

By Messrs. Springer, Harris, McElhaney, Cameron and Hobbie (with notice and proof):

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 305:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

All the part of the East half of the Southwest Quarter of Section 27, T. 16, R. 17, lying north of West Boulevard, and all that part of the West half of the Southeast Quarter of Section 27, T16, R.17, lying north of West Boulevard and West of the L & N Railroad, containing in the aggregate, 121.95 acres, more or less, all being in Section 27, T.16N and R17E.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: April 3, 10, 17, 24, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 24 day of April, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

By Messrs. Springer, Harris, McElhaney, Cameron and Hobbie (with notice and proof):

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 306:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Commencing at the northwest corner of Warwick Drive and Nordale Drive; thence north along the west line of Nordale Drive a distance of 140' to the north line of the Plat of Sunshine Acres, Plat No. 9, as filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 18, on Page 53; thence west along the north line of said Plat No. 9 a distance of 150' to the point of beginning; thence continuing west along the north line of said Plat No. 9, and also along the north line of Plat No. 11, Sunshine Acres, as filed for record in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 19, at Page 9, to the northwest corner of said Plat No. 11; thence south along the west line of said Plat No. 11 to the southwest corner thereof; thence east along the south line of said Plat No. 11 and said Plat No. 9 to the southeast corner of said Plat No. 9; thence north

along the east line of said Plat No. 9 to the northeast corner thereof; thence west along the north line of said Plat No. 9 to the point of beginning; said land lying in the NW¼ of the SE¼ of Section 31, T16N, R18E.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: April 3, 10, 17, 24, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 24 day of April, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

By Messrs. Springer, Harris, McElhaney, Cameron and Hobbie (with notice and proof):

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 307:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the southwest corner of Lot 2 Block E of the Plat of Seth Johnson Estates Extension, Plat No. 1, as filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 20 on Page 122; thence southeasterly along the south line of said Lot 2 to the northwest corner of Lot 3 Block E of said Plat No. 1; thence easterly along the north line of said Lot 3 to the northeast corner thereof; thence northeasterly across Falcon Lane to the southwest corner of Lot 19 Block C of said Plat No. 1; thence east along the south line of Lots 19, 18, 17, 16, 15, and 14, Block C of said Plat No. 1 to the southeast corner of said Lot 14; thence north along the east line of said Lot 14 to the southwest corner of Lot 13 Block C of said Plat No. 1; thence northeasterly along the south line of said Lot 13 to the southeast corner thereof; thence north along the east line of said Lot 13 to the south line of Woodbridge Drive; thence east along the south line of Woodbridge Drive to a point on the southerly extension of the east line of Lot 5 Block A of said Plat No. 1; thence north along the southerly extension and east line of said Lot 5 to the northeast corner of said Plat of Seth Johnson Estates Extension, Plat No. 1; thence west along said Plat to the northwest corner thereof; thence south along the west line of said Plat No. 1 to the point of beginning. Said land lying the NW and NE quarters of the NW quarter of Section 5, T15 N, R18 E.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: April 3, 10, 17, 24, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 24 day of April, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

By Mr. Springer:

H. 308. To amend Sections 13 and 15 of Act. No. 221, H. 40, approved April 20, 1965, Special Session 1965, which relates to public school administration; providing further for selection, approval, adoption, purchase, distribution and use of tax-paid textbooks; repealing conflicting laws.

Ways and Means.

By Mr. Springer:

H. 309. To further amend Section 18 of Title 61 of the 1958 Recompiled Code of Alabama which relates to the right of a widow to dissent from the will of her deceased husband.

Judiciary.

By Messrs. Springer and Neville:

H. 310. For the relief of widows of governors of Alabama.

State Administration.

By Mr. Springer:

H. 311. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Judiciary.

By Mr. Springer:

H. 312. To amend Title 55, Section 84, Code of Alabama 1940.

Judiciary.

By Mr. Springer:

H. 313. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Judiciary.

By Mr. Springer:

H. 314. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Judiciary.

By Mr. Springer:

H. 315. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Judiciary.

By Mr. Springer:

H. 316. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Judiciary.

By Messrs. Slate and Doss:

H. 317. To authorize the collection of tuition fees or charges from non-residents of a city when they are pupils in the public schools of the city; to provide for fixing the amount of such fees or charges and for the use of the proceeds thereof.

Ways and Means.

By Messrs. Pennington, Haygood, Snell, Stubbs, Graham, Berryman (W), Hill, Wright, Grainger, Wood, Meade, Slate and Holladay:

H. 318. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special interests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Way and Means.

By Messrs. Bassett and Hardin:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Local Legislation No. 1.

By Mr. Stubbs:

H. 320. Relating to the Eighteenth Judicial Circuit; providing for an additional Circuit Judge in such Circuit.

Judiciary.

By Mr. Stubbs (with notice and proof):

H. 321. To provide that no municipality whose corporate limits do not lie wthin or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Local Legislation No. 1.

Notice and Proof H. 321:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Be It Enacted by the Legislature of Alabama:

Section 1. No municipality whose corporate limits do not lie within or extend into and embrace or include a portion of Shelby County shall have or exercise police jurisdiction or police powers in Shelby County or over or on any person in Shelby County; nor shall any ordinance of and such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violations thereof have force or effect in Shelby County. Nor shall such municipality exercise any taxing or licensing authority over any person or firm lying within its police jurisdiction within Shelby County retroactive to 1 January 1969.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the first day of the first month next following the date of its enactment.

STATE OF ALABAMA,
COUNTY OF JEFFERSON,

On this 12th day of May, A.D. one thousand nine hundred and 69, personally appeared before me, R. H. Carlisle, a Notary Public in and for the County and State aforesaid Helen Thomas, who being duly sworn according to law, declares that she is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith

attached, appeared in "The Birmingham News" on the following dates: April 16, 1969, April 23, 1969, April 30, 1969, May 7, 1969.

HELEN THOMAS.

Subscribed and sworn to before me this 12th day of May, A.D. 1969.

R. H. CARLISLE,
Notary Public.

My Commission expires 3-8-73.

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. No municipality whose corporate limits do not lie within or extend into and embrace or include a portion of Shelby County shall have or exercise police jurisdiction or police powers in Shelby County or over or on any person in Shelby County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalites for violations thereof have force or effect in Shelby County. Nor shall such municipality exercise any taxing or licensing authority over any person or firm lying within its police jurisdiction within Shelby County retroactive to 1 January 1969.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective on the first day of the first month next following the date of its enactment.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: April 17, 25, May 1, 8, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 19 day of May, 1969.

C. M. FOWLER,
Judge of Probate.

By Mr. Stubbs (with notice and proof):

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Local Legislation No. 1.

Notice and Proof H. 322:

A BILL
TO BE ENTITLED
AN ACT

To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the City of Leeds are hereby altered, redefined and reduced so as to exclude from the boundaries of said city any and all territory which lies within the boundaries of Shelby County.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed.

Section 3. This act shall become effective on the first day of the first month next following the date of its enactment.

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 12th day of May, A.D. one thousand nine hundred and 69, personally appeared before me, R. H. Carlisle, a Notary Public in and for the County and State aforsaid Helen Thomas, who being duly sworn according to law, declares that she is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham News" on the following dates: April 16, 1969, April 23, 1969, April 30, 1969, May 7, 1969.

HELEN THOMAS.

Subscribed and sworn to before me this 12th day of May, A.D. 1969.

R. H. CARLISLE,
Notary Public.

My commission expires 3-8-73.

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the City of Leeds are hereby altered, redefined and reduced so as to exclude from the boundaries of said city any and all territory which lies within the boundaries of Shelby County.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed.

Section 3. This act shall become effective on the first day of the first month next following the date of its enactment.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: April 17, 24, May 1, 8, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 19 day of May, 1969.

C. M. FOWLER,
Judge of Probate.

By Mr. Stubbs (with notice and proof):

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Local Legislation No. 1.

Notice and Proof H. 323:

LEGAL NOTICE

STATE OF ALABAMA
CLAY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Court of the counties composing such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only in the Circuit Courts of the counties composing the eighteenth Judicial Circuit.

Section 2. If the accused and his counsel and also the prosecuting attorney, in any prosecution for felony, whether capitol or non-capitol,

consent thereto in open Court, the trial court in its discretion may permit the jury trying the case to separate during the pendency of the trial, wheher the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to the accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 3. It shall be improper for the trial Court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they will consent to a separation of the Jury pending the trial.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval of the Governor, or upon it otherwisee becoming a law.

CERTIFICATE OF PUBLICATION

THE STATE OF ALABAMA
CLAY COUNTY

Before me Elizabeth D. Pruet, a Notary Public, in and for said County, personally appeared Mrs. R. M. Ussery, who duly sworn, deposes and says that she is the publisher of The Ashland Progress, a newspaper published weekly in Ashland, Clay County, Alabama, and that the Legal Notice-State of Ala, Clay Co. A Bill To Be Entitled An Act, a copy of which is attached hereto, was published in said newspaper for four consecutive weeks, commencing in the issue of Mar. 13, 1969, and ending in the issue of Apr. 3, 1969.

MRS. R. M. USSERY.
Publisher.

Sworn to and subscribed before me, this 4th day of April, 1969.

ELIZABETH D. PRUET
Notary Public.

LEGAL NOTICE

STATE OF ALABAMA
SHELBY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the circuit courts of the counties composing such circuit.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only in the Circuit Courts of the counties composing the eighteenth Judicial Circuit.

Section 2. If the accused and his counsel and also the prosecuting attorney, in any prosecution for felony, whether capitol or non-capitol, consent thereto in open Court, the trial court in its discretion may permit the jury trying the case to separate during the pendency of the trial, wheher the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to the accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 3. It shall be improper for the trial Court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial court in the hearing of the jury that he or they will consent to a separation of the Jury pending the trial.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval of the Governor, or upon it otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper four weeks consecutively, towit in issues thereof dated as follows: Feb. 20, 27, Mch. 6, 13-1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 16 day of April, 1969.

CONRAD M. FOWLER,
Judge of Probate.

LEGAL NOTICE

STATE OF ALABAMA,
COOSA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Be It Enacted by the Legislature of Alabama:

Act 1. The provisions of this section shall apply only in the Circuit Courts of the counties composing the eighteenth Judicial Circuit.

Section 2. If the accused and his counsel and also the prosecuting attorney, in any prosecution for felony, whether capitol or non-capitol, consent thereto in open Court, the trial court in its discretion may permit the jury trying the case to separate during the pendency of the trial, whether the jury has retired or not. A separation so permitted shall not create a presumption of prejudice to the accused, but on the contrary it shall be prima facie presumed that the accused was not prejudiced by reason of the separation of the jury.

Section 3. It shall be improper for the trial Court to ask the accused, counsel for the accused, or the prosecuting attorney in the hearing of the jury whether or not he or they will consent to a separation of the jury pending the trial. It shall be improper for the accused or counsel for the accused, or the prosecuting attorney to state to the trial Court in the hearing of the jury that he or they will consent to a separation of the Jury pending the trial.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval of the Governor, or upon it otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson, Publisher of the Alexander City Outlook, published weekly at Goodwater, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published four times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated February 13, 1969, and ending with the issue dated March 6, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 6th day of March, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

By Messrs. Holladay, Wright, Hain, Merrill, Lybrand, Weeks, Burgess, Blanton, Snell, Cameron, Harris, McElhaney, Springer, Paulk, Hobbie, Owen (Baldwin), Mays, Collins (W), Malone, McCorquodale, Pearson, Collier, Smith, Mathews, Beck, Young, Garrett, Stubbs, Meade and Owens (W):

H. 324. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to isssue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Holladay, Wright, Hain, Merrill, Lybrand, Weeks, Blanton, Burgess, Snell, Cameron, Harris, McElhaney, Springer, Paulk, Hobbie, Owen (Baldwin), Mays, Collins (W), Malone, McCorquodale, Collier, Pearson, Smith, Mathews, Beck, Young, Garrett, Stubbs, Meade and Owens (W):

H. 325. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Judiciary.

By Messrs. Brassell and Higginbotham (with notice and proof):

H. 326. Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

Local Legislation No. 1.

Notice and Proof H. 326:

STATE OF ALABAMA
COUNTY OF RUSSELL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court Of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Russell County a court with county-wide limited jurisdiction of criminal cases and civil actions at law. The court shall be known as the "Court of Common Pleas of Russell County." It shall be in lieu of the county court of Russell County which is hereby abolished.

Section 2 (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, cases and actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of actions in ejectment, cognizable before the circuit court, or a county court, or justices of the peace or courts created in lieu of justices of the peace, and all courts of like jurisdiction. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State, and lawmade rules governing practice and procedure.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of civil actions of ejectment or actions in the nature of ejectment or of any civil actions when the matter or sum in controversy exceeds one thousand dollars, nor take cognizance of any matter or proceeding in equity. The court shall not have jurisdiction of workmen's compensation cases, libel, slander, or juvenile or domestic relation cases. When the action is in detinue in which the plaintiff seeks to recover on a chattel mortgage or a conditional sales contract, the amount in controversy shall, for the purpose of determining jurisdiction, be the balance of the mortgage debt or purchase price, as the case may be, or the value of the property in suit whichever may be less; and where the action is for forcible entry or unlawful detainer, the amount in controversy shall, for the purpose of determining jurisdiction, be the amount of damages claimed. The court shall have jurisdiction of proceedings for discovery of assets of judgment debtors and shall exercise such jurisdiction in the same manner that is provided by law with respect to civil judgments in circuit courts. The court shall also have such other powers and authority that are, or may hereafter be, conferred upon the circuit courts, except as otherwise provided in this act.

Section 3 (a) The judge of the Court of Common Pleas of Russell County shall be a resident citizen and a qualified elector of Russell County, at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be learned in the law, and duly licensed to practice law in this State.

(b) Immediately after the passage of this act, the Governor shall appoint a qualified person as judge of the Court of Common Pleas

of Russell County, and shall issue a commission to him as such judge. He shall hold office until a successor is elected as provided hereinafter.

(c) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(d) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law, and shall be subject to the same penalties and obligations as circuit judges.

(e) In the event of a vacancy in the office of judge, the Governor shall appoint a qualified person as judge and the person so appointed shall hold office as is provided in Sections 158 and 159 of the Constitution.

(f) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code.

(g) The judge shall receive a salary of seven thousand two hundred dollars ($7,200) per annum, payable out of the Court of Common Pleas fund of the county in equal monthly installments as the salaries of other county officers are paid.

(h) The judge shall have authority to: (1) administer oaths and take acknowledgments; (2) issue search warrants; (3) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of county courts, and justices of the peace, including that of magistrates on preliminary examinations. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts.

(i) In the absence of the regular judge, the clerk of the court may, if no special judge has been appointed, accept a defendant's written, sworn plea of guilty and assess against such defendant such fines and costs as may be authorized by law; and any judgment so rendered by the clerk shall have the same force and effect as a judgment rendered by the judge of the court.

Section 4. (a) The Court of Common Pleas of Russell County, shall be open for transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court shall be held at the county courthouse. Regular sessions for the trial of criminal cases shall be held on the first Monday of each month. On the third Monday of each month there shall be a call of the docket of the court for the handling, trial and disposition of all criminal cases where the defendant has been confined in jail for five days or more and has failed to make bond, and of such other criminal cases in which the defendant shall request a trial in time for the witnesses to be summoned and caused to appear at the trial. On the first Tuesday after the first Monday and the first Tuesday after the third Monday in each month there shall be a session of said court and a call of the docket of said court for the handling, trial and disposing of civil cases. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge may fix reasonable hours for the holding of court.

Section 5. The sheriff shall attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the county court or the circuit court.

Section 6. The district attorney of the Twenty-Sixth Judicial Circuit of Alabama shall be the solicitor of the Court of Common Pleas of Russell County. Said solicitor shall attend all sessions of said court and do and perform all duties of a solicitor therein and in addition shall attend and represent the State at all preliminary hearings therein and shall do and perform all duties required of a deputy solicitor by Code of Alabama, 1940, Title 13, Section 256.

Section 7. (a) The circuit clerk of Russell County shall be the ex-officio clerk of the Court of Common Pleas of Russell County. The clerk shall receive for such services the sum of $600.00 per annum which sum shall be payable in equal monthly installments from the general fund of the county, and in addition to his regular salary, fees, commissions or compensation, he shall be entitled to receive as compensation for his services as clerk of this court the same fees, commissions, percentages, allowances, and other compensation that are or may hereafter, be allowed to circuit clerks in the State of Alabama. In making his settlement with the state or county, as the case may be, the clerk shall retain such fees, commissions, percentages or allowances from any monies collected as fees, fines and costs in said court. He shall have authority to purchase at county expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Before entering upon the performance of his duties as clerk of the Court of Common Pleas of Russell County, he must give bond as required by law for clerks of county courts.

(b) It shall be the duty of the clerk to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority to: (1) administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including affidavits, summonses, subpoenas, writs, executions, commitments and releases making same returnable to the court hereby established; (3) to approve bonds in civil and criminal cases including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; (6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of county courts.

Section 8. (a) Except as otherwise provided in this act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within fifteen days, and the process issued shall so recite. Except as herein provided, the provisions of law, now or hereafter, governing the filing of interrogatories to parties to suit and the taking of depositions in the circuit courts of this State shall also govern the filing of interrogatories and the taking of depositions in the court hereby established; the parties being required to answer within thirty days.

(c) All garnishment proceedings in the court shall be governed by the provisions of Chapter 27 of Title 7, Code of Alabama 1940, except that the garnishee shall appear and file his answer within fifteen days after the service on him of process of garnishment and the process shall so recite.

Section 9. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 10. (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the county courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts, except that such fees shall be paid out of the county general fund.

(b) In addition to the fees for witnesses the court shall have authority to tax costs and commissions for the use of the officers of the court as follows: (1) in each civil action at law the same as the circuit court; (2) in each criminal case the same as in the county courts, including fees as provided by Section 89, paragraph 2, Title 11 of the Code of Alabama 1940.

(c) A trial tax of one dollar ($1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars ($100.00). In every other civil action at law, and in every criminal case, a trial tax of two dollars ($2.00) shall be collected for the use of the county.

Section 11. Prosecutions may be commenced in the court upon the sworn complaint made to the judge or district attorney, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by Code of Alabama, 1940, Title 13, Section 327. The case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

Section 12. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided: (1) If the case is a civil case, the appeal or certiorari lies to the circuit court of Russell County and shall be governed by Article 6 of Chapter 8, Title 13, of the 1940 Code, where the trial shall be de novo with trial by jury where demanded by either party as provided by Code 1940, Title 7, Section 264. Where a civil case is tried on appeal in the circuit court and the sum in controversy does not exceed one hundred dollars ($100.00) the issues shall be made up as provided by Code, 1940, Title 13, Section 486; otherwise the pleadings and trial shall be according to the regular rules of pleading and practice in the circuit court. (2) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the Code of 1940, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant as prescribed by Code 1940, Title 13, Section 326.

Section 13. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 14. The judge of the court shall have the power to punish for contempt in all cases where the judges of the circuit courts of this State may punish for contempt, by fine not exceeding fifty dollars ($50.00) and by imprisonment not to exceed five days, or by both fine and imprisonment.

Section 15. The County Court of Russell County is hereby abolished, and all cases pending in such abolished court when this act become effective shall be transferred from the docket of that court to the Court of Common Pleas of Russell County created by this act. The cases thus transferred shall proceed in the court of common pleas as though begun therein. This court shall have the same power to control judgments rendered by the abolished court and to issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 16. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 17. All laws or parts of laws which conflict with this act are repealed.

Section 18. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF RUSSELL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jane Gullatt, who, being by me first duly sworn, deposes and says that during the time herein mentioned she was editor of the Phenix Citizen-Herald, a newspaper of general circulation published in Russell County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

JANE GULLATT,
Editor.

Sworn to and subscribed before me May 19, 1969.

DWAN KIKI,
Clerk of Circuit Court,
Russell County, Alabama.

By Mr. Smith:

H. 327. To amend Title 51, Section 46, Code of Alabama 1940, which relates to estimating the value of property for the purpose of taxation.

Ways and Means.

By Mr. Smith:

H. 328. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Judiciary.

By Mr. Smith:

H. 329. To authorize, provide for, and regulate investigation concerning the sanity of prisoners in state or county custody, when the issue of sanity at the time of the commission of an offense or the issue of insanity at the time of trial is presented to the court by any post conviction review procedure.

Judiciary.

By Mr. Smith:

H. 330. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of this State.

Judiciary.

By Mr. Smith:

H. 331. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

Judiciary.

By Messrs. Smith, Hobbie, Culver, Laxson, Bassett, Young, Collier, Starnes and Harris:

H. 332. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

Judiciary.

By Messrs. Smith, Hobbie, Culver, Laxson, Bassett, Young, Collier, Brown, Harris and Starnes:

H. 333. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

Agriculture.

By Mr. Smith:

H. 334. To prohibit the sale and planting of Crotalaria; providing penalties for violations.

Agriculture.

By Mr. Smith:

H. 335. To amend Section 2 of Act No. 908, Regular Session 1951 (Acts 1951, p. 1548) which act relates to the distribution, sale or transportation of insecticides, fungicides, rodenticides, herbicides or other economic poisons, to require that labels affixed to containers of said poisons shall state the expiration date of the effectiveness of the contents.

Agriculture.

By Mr. Smith:

H. 336. Relating to the purchase of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street, road or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Agriculture.

By Mr. Smith:

H. 337. To prohibit the taking or willful releasing of fish from the trotline, setline, basket, net, or box of another; making such offense a misdemeanor punishable by a minimum fine of twenty-five dollars.

Agriculture.

By Messrs. Brown and Robertson:

H. 338. To amend Section 8 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1., p. 615), an act relating to the practice of chiropractic so as to delete certain subjects required for examination and add other subjects upon which applicants shall be required to take a written examination.

Health.

By Messrs. Culver, Smith, Hobbie, Laxson, Bassett, Young, Collier, Harris, Brown, Starnes, Robertson, Drake and Bank:

H. 339. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Agriculture.

By Messrs. Culver, Grayson, Brown, Crane, Bank, Agee, Ellis, Collier, Robertson, Kilgore, Cook (Jefferson), Berryman (R) and Berryman (W):

H. 340. To make an appropriation from the Alabama special educational trust fund in the state treasury to the use of the state board of education for textbooks.

Ways and Means.

By Messrs. Bank, Collins (W), House, Cook (Jefferson), Manley, Cook (Coffee), Culver and Robertson:

H. 341. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and fireman killed in line of duty.

Ways and Means.

By Mr. McElhaney:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties.

Judiciary.

By Messrs. Robertson, Culver, Brown and Melton:

H. 343. To require fire and casualty insurance companies to pay the costs of all estimates on damaged property requested by such companies as a condition precedent to the settlement of claims.

Judiciary.

By Messrs. Robertson, Crane, Culver, Dill, Ellis and Melton:

H. 344. To provide that all persons exempt from the payment of fishing licenses or entitled to special fishing permits may fish free of charge in all public lakes in this state; to provide for evidence of proof.

Conservation.

By Messrs. Robertson, Ellis, Haygood, Brown, Culver, Graham, Bank, Burgess and Wood:

H. 345. To authorize state, county and municipal employees to organize for collective bargaining purposes; to allow the state, counties, municipalities and their agents to recognize employee organizations and designated bargaining units, and to negotiate with such bargaining units as to certain working conditions; to provide for designation and composition of the bargaining units by the State Department of Labor; to provide for arbitration of disputed matters; to prohibit the right to strike; and to repeal conflicting laws.

Business and Labor.

By Messrs. Shumate, Brown and Dobbs:

H. 346. To amend Act No. 108, H.B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 612), an act relating to the practice of chiropractic; providing for the certification, examination and regulation of chiropractors.

Health.

By Messrs. Shumate, Dobbs and Drake:

H. 347. To amend the Motor Vehicle Safety-Responsibility Act, Act No. 704, H. 475, Regular Session 1951, (Acts 1951, p. 1224) relative to reinstating driving license and registration privilege and nonresident's operating privilege which have been suspended under said act.

Judiciary.

By Messrs. Dobbs, Shumate, Drake, Stubbs, Brannan, Laxson, Culver, Collier, Lemley, Headley, Berryman (R) and Berryman (W):

H. 348. To prohibit the sale, giving away or other distribution of certain beverages, including both what is commonly known as soft drinks and certain malt or brewed alcoholic beverages, in throw-away glass bottles or other throw-away glass containers; and to prescribe penalties.

Agriculture.

By Messrs. Manley, Snell, McCorquodale, Mathews, Merrill, Cook (Coffee), Bank, Drake, Slate, Hill, Pennington, Holladay, Nettles, Haygood, Hain, Tuck, Williams, Dill, Doss, Pauk, Lybrand, Gloor, Stembridge, Springer, Marr, Owens (W), Owen (Baldwin), Brannan, Mays, McElhaney, Collins (W), Garrett, Agee, Blanton, Neville, Hardin, Bassett and Pruitt:

H. 349. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Judiciary.

By Messrs. Manley and Pruitt:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Local Legislation No. 1.

By Messrs. Dobbs and Shumate:

H. 351. To require a bill of sale in the transfer, sale or gift of a dog.

Judiciary.

By Messrs. Shumate and Dobbs (with notice and proof):

H. 352. To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Local Legislation No. 1.

Notice and Proof H. 352:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Dora are hereby altered, rearranged and extended so as to incorporate within the town the following described territory lying and being in Walker County, Alabama, to-wit:

Beginning at the Northeast corner of the present City limits of the Town of Dora, Alabama, as shown in Map Book 2, page 63, in the office of the Judge of Probate of Walker County, Alabama, which is the point of intersection of the south right-of-way line of U.S. Highway #78 (Bankhead Highway) and the west right-of-way line of the Empire Branch of the Frisco Railroad in the SE¼ of SE¼ of Section 9, Township 15 South, Range 5 West, thence run southwesterly along the East boundary of the present City Limits of the Town of Dora as follows: Run southwesterly along the West boundary of the Empire Branch of the Frisco Railroad right-of-way as said railroad meanders through Sections 9, 16 and 17 to the intersection of the West boundary of the SE ¼ of SE ¼, Section 17, all in Township 15 South, Range 5 West, thence run South along said West boundary to the Southwest corner of the SE ¼ of the SE ¼ of Section 17, Township 15 South, Range 5 West, thence run Southwest a distance of 1867 feet, more or less, to the Southeast corner of the NE ¼ of the NW ¼ Section 20, Township 15 South, Range 5 West, thence run West a distance of 660 feet; thence run South a distance of 3960 feet, more or less, to the South boundary of Section 20, Township 15 South, Range 5 West; thence continue South a distance of 660 feet; thence run West a distance of 1980 feet, more or less, to the West boundary of Section 29, Township 15 South, Range 5 West, which is the Southwest corner of the present City Limits of the Town of Dora, Alabama; thence run South along the West line of the NW ¼ of NW ¼ of said Section 29, to the Southwest corner of said NW ¼ of NW ¼ of said Section 29; thence run East along the South line of the N ½ of NW ¼ of said Section 29 to the Southeast corner thereof; thence run North along the East line of the Northeast Quarter of the NW ¼ of said Section 29 to the Northeast corner

thereof; thence run East along the South line of Section 20, Township 15 South, Range 5 West to the Southeast corner thereof; thence continue East along the South line of Section 21, Township 15 South, Range 5 West, to the Southeast corner of the W½ of said Section 21; thence North along the East line of said W½ of Section 21 to the Northeast corner of said W½ of said Section 21; thence continue North along the East line of the SE¼ of SW¼ of Section 16 Township 15 South, range 5 West, to the Northeast corner thereof; thence East along the South line of the NW¼ of SE¼ of said Section 16 to the Southeast corner thereof; thence North along the East line of said NW¼ of SE¼ to the Northeast corner thereof; thence East along the South line of the NE¼ of said Section 16 to the Southeast corner thereof; thence North along the East line of said Section 16 to the Northeast corner thereof; thence continue North along the East line of Section 9, Township 15 South, Range 5 West, to its intersection with the South right-of-way line of U.S. Highway 78; thence Northwesterly along the South right-of-way line of said Highway to the point of beginning.

Also:

Beginning at the Northwest corner of Section 9, Township 15 South, Range 5 West, and run South along the West line of said Section to its intersection with the South boundary of Sloss Road, which is the present City limits of the Town of Dora, Alabama, as shown in Map Book 2, page 63, in the office of the Judge of Probate of Walker County, Alabama; thence run northeasterly along said present City Limits of the Town of Dora, Alabama, as follows: thence run northeasterly along said South boundary of said Sloss Road as said road meanders through said Section 9 to its intersection with the South boundary of U.S. Highway #78 (Bankhead Highway) right-of-way; thence run northwesterly along said south right-of-way line of said Highway to its intersection with the North line of said Section 9; thence West along the North line of said Section 9 to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Carmon A. Parsons, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 7, March 14, March 21, and March 28, all in the year 1969.

CARMON A. PARSONS.

Sworn to and subscribed before me March 28, 1969.

R. W. BOTELER, JR.
Notary Public.

By Messrs. Meade and Beck:

H. 353. Relating to crimes and offenses; providing punishment for persons who cause the death of a child by failing to stop while a school bus is unloading.

Judiciary.

By Messrs. Meade and Beck:

H. 354. To make an appropriation to the use of the Terrapin Creek Watershed Association.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Brown:

H. J. R. 9. WHEREAS, Carleton K. Butler, Professor of Music and Director of Bands at the University of Alabama, is retiring on May 31, 1969 after thirty-four years of outstanding service; and

WHEREAS, Professor Butler was a teacher and band director in the Public School System of Birmingham before coming to the University of Alabama, and after receiving the Bachelor of Music degree from Dana's Musical Institute and the Bachelor of Science degree in Music Education from Kent State University; and

WHEREAS, Professor Butler served as president of the Alabama Band Masters' Association and of the Alabama Music Educator's Association, and has devoted his talent and energy toward raising the level of music in the State; and

WHEREAS, the Reserve Officers Training Corps made him an Honorary Colonel and since that time he has been known as Colonel Butler to a generation of admirers for whom he symbolized musical excitement as director of the University of Alabama's "Million Dollar Band;" and

WHEREAS, as a dedicated teacher he has trained and inspired many young musicians, a great number of whom have followed his example and become band directors; and

WHEREAS, Professor Butler held the position of First Oboist with the Birmingham Civic Symphony Orchestra;

NOW, THEREFORE BE IT RESOLVED by the House of Representatives, the Senate concurring,

1. that this legislature express its appreciation to Carleton K. Butler for thirty-four years in which he has brought the delights of fine musicianship to millions of listeners and reflected credit on his university and this State through his excellent performance as teacher, band leader and citizen.

2. Be it further resolved that a copy of this Resolution be immediately forwarded to Colonel Butler at his home at the University of Alabama, and that a copy be forwarded to the Board of Trustees of the University of Alabama.

On motion of Mr. Brown the rules were suspended and H. J. R. 9 was adopted.

Also:

By Mr. Smith:

H. J. R. 10. WHEREAS the Federal Voting Rights Act of 1965, as interpreted by the United States Supreme Court, prohibits enforcement of any voting qualification or prerequisite to voting, or standard, practice or procedure with respect to voting different from that in effect on November 1, 1964, in the State of Alabama unless and until the

enforcement thereof is authorized by a declaratory judgment obtained in an action in the United States District Court for the District of Columbia; but contains the following proviso:

"Provided, That such qualification, prerequisite, standard, practice, or procedure may be enforced without such proceeding if the qualification, prerequisite, standard, practice, or procedure has been submitted by the chief legal officer or other appropriate official of such state or subdivision to the Attorney General and the Attorney General has not interposed an objection within sitxy days after such submission, . . ." and

WHEREAS several laws relative to elections, registration and procedure for voting and qualification as candidates for office have been enacted by the Alabama Legislature since November 1, 1964; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING: That the Attorney General of the State of Alabama is hereby requested to submit a copy of every Alabama law, general or local, enacted since November 1, 1964, or enacted hereafter during the period of time in which said VOTING RIGHTS ACT OF 1965 is in force or effect, relative to elections, procedures for voting, or any phase of registration or qualification for voting or becoming a candidate at an election, to the Attorney General of the United States with a request that he review such laws and render an opinion as to whether all or any of them contravene the provisions of the Voting Rights Act of 1965 or any provisions of the Constitution of the United States.

On motion of Mr. Smith the rules were suspended and H. J. R. 10 was adopted.

Also:

By Messrs. Springer, Hobbie, Harris, Cameron and McElhaney:

H. J. R. 11. WHEREAS Montgomery firemen and the Montgomery Fire Fighters Association (M.F.F.A.) have recently completed a most successful joint drive for contributions to the Lurleen B. Wallace Courage Crusade; and

WHEREAS this group of dedicated and courageous men who have long been recognized for their outstanding services have most generously contributed a total sum of $18,309 which represents 100% participation and approximately sixty dollars per fireman; and

WHEREAS this munificent gift which represents total unselfishness on the part of each fireman and considerable personal sacrifice on the part of many, evidences the importance which this group attaches to the building of the Lurleen B. Wallace Cancer Hospital and gives added impetus to the drive throughout the State of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend the Montgomery firemen and the Montgomery Fire Fighters Association for their most generous contributions toward this worthy project in the cause of humanity. We congratulate them upon the skill and coordination with which they combined their efforts in this amazingly successful drive and assure them that they serve as an inspiration to all of us.

RESOLVED FURTHER, That a copy of this resolution shall be sent to Lieutenant B. J. Lumpkin, president of the Montgomery Fire Fighters Association; to Mr. F. W. (Bo) Brice, county crusade chairman; to Assistant Fire Chief J. A. Phelps who coordinated the drive for the firemen; and to the Alabama Press Association.

On Motion of Mr. Springer, the rules were suspended and H. J. R. 11 was adopted.

Also:

By Messrs. Wright and Malone:

H. J. R. 12. WHEREAS Dr. John T. Sheppard of Gadsden, Alabama, departed this life April 5, 1969, after distinguished service of 35 years to his county and state, as a citizen and as a physician, and

WHEREAS, Dr. Sheppard was loved by all who knew him and particularly by the thousands of children whom he treated with skill, patience and loving care as a pediatrician, and

WHEREAS, his presence and his medical service is sorely missed in his community, his memory and dedication will be long remembered and will remain a shining example to those who serve mankind as physicians,

THEREFORE, BE IT RESOLVED by the Legislature of Alabama, both Houses concurring, that the death of Dr. John T. Sheppard saddens us all, and his family is extended our deepest sympathy.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to his wife and children.

On motion of Mr. Wright, the rules were suspended and H. J. R. 12 was adopted.

Also:

By Mr. Edington:

H. J. R. 13. WHEREAS the problem of damages resulting from pollution of this Nation's coastal waters to aquatic life, to the beaches, and to numerous businesses having their foundations on the beaches or in the coastal waters is a matter of growing concern, not just to Alabama but also to the United States and many of the individual states, including our neighboring states, Florida and Mississippi; and

WHEREAS Alabama's beaches are among the most beautiful in the world and Alabama's coastal waters abound with fish and much other marine life which contributes immeasurably to this state's economy, and we want to keep them this way, now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING That the Joint Interim Committee on Air Pollution, which was created by Act No. 192, H. J. R. 45 of the 1966 Special Session (Acts, 1966, p. 222) is hereby directed, in addition to the duty heretofore placed on it, to assume another duty relative to pollution. This additional duty shall be to study the problem of pollution of the state's coastal waters, particularly the possibility of such pollution as a result of faulty operations or equipment when drilling for oil in both the off-shore and in-shore areas in such waters. Such committee shall investigate especially the need for legislation to forestall damage to Alabama's coastal waters, her beaches, the aquatic and wild life abundant in and near her coastal waters, and damages to numerous associated industries and businesses similar to those damages recently suffered by several of our sister states. This committee shall endeavor to ascertain what, if any, provision is made in the federal law and in the laws of both Florida and Mississippi for requiring persons, firms or corporations causing pollution of coastal waters to reimburse individuals who suffer injuries or whose businesses are ruined or severely curtailed because of such pollution. Such study shall include a survey of the problem of co-ordinating our efforts and our state's legislation with

the efforts and legislation of the United States and the States of Florida and Mississippi.

On motion of Mr. Edington, the rules were suspended and H. J. R. 13 was adopted.

Also:

By Messrs. Shumate, Bowers and Weeks:

H. J. R. 14. WHEREAS Dr. Samuel Richardson Hill, Vice President for Health Affairs at the University of Alabama Medical Center, through years of dedicated service to the medical profession and to the Medical College of Alabama, has shown himself to be an example of professional excellence and an outstanding medical educator; and

WHEREAS Dr. Hill and the medical staff have constantly demonstrated an attitude of courtesy and cooperation in their relations with the legislature and the general public; and

WHEREAS Dr. Hill and the staff have undertaken to thoroughly explain and demonstrate the goals, methods, and needs of the Medical Center to the members of the legislature and to the general public, and illustrated the great value and potential of the medical program which has resulted from progressive administration and legislation; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, that we commend Dr. Hill and the medical staff for continuous and highly meritorious service to the health and general welfare of the people of Alabama, and that a copy hereof be mailed to Dr. Hill.

On motion of Mr. Shumate, the rules were suspended and H. J. R. 14 was adopted.

Also:

By Mr. Shumate:

H. J. R. 15. WHEREAS Colonel Floyd Mann, as Director of Public Safety, has demonstrated to the people of Alabama and the members of the legislature his great capacity for capable and efficient administration; and

WHEREAS Colonel Mann has won the respect of law enforcement officers and public officials throughout the nation for his management and direction of the most effective law enforcement and highway safety programs in the history of the state; and

WHEREAS Colonel Mann in his personal relations with the officers in his department and with the general public has shown himself to be an understanding and skilled executive, worthy of support and admiration; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, that we commend Colonel Mann for his tireless and devoted service to the citizens of this state, and that a copy thereof be mailed to Colonel Mann.

On motion of Mr. Shumate, the rules were suspended and H. J. R. 15 was adopted.

ADJOURNMENT

On motion of Mr. Merrill, the House adjourned until Thursday, May 22, 1969, at ten o'clock A.M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 21, 1969

The House did not meet today.

FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, May 22, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Douglas Miller, Associate Pastor, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Adwell	Downing	Jackson (T)	Pearson
Agee	Drake	Jones	Pennington
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (R)	Foshee	Lyons	Sessions
Berryman (W)	Gafford	Malone	Shumate
Blanton	Garrett	Manley	Slate
Bolton	Gloor	Marr	Smith
Bowers	Graham	Mathews	Snell
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Steagall
Brown	Hain	McDonald	Stembridge
Burgreen	Hardin	McElhaney	Stubbs
Cameron	Harper	Meade	Tuck
Cherner	Harris	Meeks	Turnham
Collier	Haygood	Melton	Waggoner
Collins (C)	Headley	Merrill	Watkins
Collins (W)	Higginbotham	Money	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	Hobbie	Neville	Wood
Crane	Holladay	Owen (Baldwin)	Wright
Crawford	Holman	Owens (W)	Yeilding
Culver	House	Owens (W.E.)	Young
Dill			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Merrill, leave of absence was granted to Mr. Burgess because of a death in his family.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

H. 18. Further amending Code of Alabama 1940, Title 34, Section 20; relating to marriage and divorce; making incompatibility of temperament a ground for divorce.

H. 57. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws of incorporated municipalities.

H. 59. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

H. 125. Relating to insurance; regulating the cancellation and alteration of certain individual policies of hospitalization or medical expense insurance.

H. 151. To provide for the adoption of adult persons and to declare the rights of the adopter and the adopted person.

H. 190. To regulate further sales of bonds and other interest-bearing securities issued by the state and its political sub-divisions and the instrumentalities of the state and the political sub-divisions thereof: Requiring such securities to be sold at public sale and regulating publication of the notices of such sales.

H. 210. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

H. 212. To authorize municipalities to pay hospital and medical expenses of any employee injured in line of duty.

H. 272. To amend Code of Alabama 1940, Title 3 A, Section 2-314, in relation to implied warranties.

H. 311. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

H. 312. To amend Title 55, Section 84, Code of Alabama 1940.

H. 313. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

H. 314. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

H. 315. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

H. 316. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

H. 324. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

The above bill was read a second time at length as required by the Constitution.

H. 325. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

H. 329. To authorize, provide for, and regulate investigation concerning the sanity of prisoners in state or county custody, when the issue of sanity at the time of the commission of an offense or the issue of insanity at the time of trial is presented to the court by any post conviction review procedure.

H. 331. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties.

H. 349. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 109. To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 278. To authorize county and city boards of education to use certain portions of federal funds allocated pursuant to Title 1 for part payment of the salaries and expenses of certain county and city superintendents of education, and to provide for the determination of such proportionate amounts.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 298. To amend further Code of Alabama 1940, Title 22, Section 208, as amended, which pertains to "EMPLOYEES OF THE MILK CONTROL BOARD" so as to bring said employees under the provisions of the Merit System Act.

H. 299. To amend further Code of Alabama 1940, Title 22, Section 226, as amended, which pertains to CERTIORARI TO REVIEW, so as to provide for additional time for appeal from Milk Control Board orders.

H. 300. To amend further Code of Alabama, Title 22, Chapter 7, which is known as the Milk Control Board Law, so as to require the

Milk Control Board to make, reduce to writing, and record in its minutes a finding of fact on which its orders are based, prior to the issuance of such orders.

H. 301. To amend further Code of Alabama 1940, Title 22, Section 213, as amended, which pertains to "LICENSES TO PRODUCERS, PRODUCER-DISTRIBUTORS, STORES, MILK DEALERS, DISTRIBUTORS, BOB-TAILERS AND COOLING STATIONS," so as to bring "Bulk Milk Tank Drivers" and "Bulk Milk Tank Haulers" within the provision of said section.

H. 302. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of Bulk Milk Tank Driver and Bulk Milk Tank Hauler.

H. 303. To amend further Code of Alabama 1940, Title 22, Section 220, as amended, which pertains to "Executive Secretary and Financial Officer", so as to fix the maximum compensation of the Executive Secretary at $12,500 and to further require a bond in such amount as may be fixed by the Treasurer, not to exceed $12,500, as may be provided by law for public officers.

H. 333. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

H. 337. To prohibit the taking or willful releasing of fish from the trotline, setline, basket, net, or box of another; making such offense a misdemeanor punishable by a minimum fine of twenty-five dollars.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 339. (with amendment) To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

The above bill was read a second time at length as required by the Constitution.

H. 208. To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

H. 209. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

H. 220. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

H. 321. To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 326 (with amendment). Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

Mr. Bassett, Chairman of the Standing Commitee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 27. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

H. 310. For the relief of widows of governors of Alabama.

MOTION TO SUSPEND THE RULES ADOPTED

The motion of Mr. Snell to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 91, was adopted.

And the bill:

H. 91. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 6.

Yeas:

Mr. Speaker	Dobbs	Jones	Owens (W.E.)
Bank	Downing	Kilgore	Paulk
Bassett	Drake	Lybrand	Pearson
Beck	Foshee	Lyons	Perloff
Berryman (R)	Gafford	Malone	Pruitt
Berryman (W)	Garrett	Manley	Sessions
Bowers	Gloor	Marr	Shumate
Brannan	Graham	Mathews	Slate
Brassell	Grainger	Mays	Smith
Burgreen	Hardin	McCorquodale	Snell
Cameron	Harris	Meeks	Steagall
Cherner	Higginbotham	Melton	Stembridge
Collier	Hill	Merrill	Tuck
Collins (W)	Hobbie	Nettles	Weeks
Cook (Coffee)	Holman	Neville	Wood
Cook (Jefferson)	Jackson (F)	Owen (Baldwin)	Wright
Culver	Jackson (T)		—66

Nays:

Messrs.:	Collins (C)	McDonald	Yeilding	
Brown	Edington	Stubbs		—6

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. R. 16. RESOLVED, That the five members of the Legislative Committee on Public Accounts, the four members of the Building Commission, and the six members of the Legislative Council who were heretofore elected, be, and they hereby are re-elected to their respective places, and shall serve until their successors are elected as prescribed by law.

On motion of Mr. Merrill, the rules were suspended and H. R. 16 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 6. BE IT RESOLVED by the Senate, that when they adjourn today, they adjourn to meet again on Thursday, May 22, 1969.

BE IT FURTHER RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that when the two Houses adjourn on Thursday, they adjourn to meet again on Tuesday, May 27, 1969.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 6 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McCarley:

S. J. R. 5. WHEREAS the pay of active members of the armed forces of the United States is recomputed at certain intervals in order to reflect the rise of the cost of living index and career military personnel have labored under the belief that their retirement pay would be recomputed at the same time and in the same manner as is the pay of active military personnel; and

WHEREAS retired members of the armed forces have served their country in time of need, and richly deserve to receive the amount of pay upon which they have relied and confidently believed would be paid; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress of the United States be memorialized to enact such measures as may be necessary to provide that the pay of retired military personnel be recomputed on the same base and at the same time, as is the pay of active members of the armed forces.

RESOLVED FURTHER, That each member of Alabama's Congressional Delegation be urged to give this matter his consideration and support.

RESOLVED ALSO, That a copy of this resolution be sent to the Congress of the United States, to each member of Alabama's delegation in Congress and to the chairmen of the House and Senate Armed Forces Committees.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Pearson, the rules were suspended and the House concurred in and adopted the S. J. R. 5 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 14. Commending Dr. Samuel Richardson Hill, Vice President for Health Affairs at the University of Alabama Medical Center, and his staff for their continuous and meritorious service to the State of Alabama.

Also:

H. J. R. 15. Expressing appreciation to Colonel Floyd Mann, Director of Public Safety, for his tireless and devoted service to the citizens of this state.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Lybrand and Bank:

H. 355. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Judiciary.

By Mr. Lybrand:

H. 356. AN ACT To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating

to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees, and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

State Administration.

By Mr. Mathews:

H. 357. To make a supplemental appropriation to the Commission on Physical Fitness.

Ways and Means.

By Mr. Graham:

H. 358. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Constitution and Elections.

By Mr. Graham:

H. 359. Proposing an amendment to the Constitution of Alabama in relation to the minimum age for registering to vote and voting.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Melton:

H. 360. To make an appropriation to the Governor's Office for the purpose of paying a contribution to the National Governors Conference.

Ways and Means.

By Messrs. Foshee and Jackson (F):

H. 361. To amend Section 2 of Act No. 1001, Acts of Alabama 1951 Regular Session of the Alabama Legislature, approved September 14, 1951, which prohibits certain methods for taking birds and animals in this State.

Conservation.

By Messrs. Foshee and Jackson (F):

H. 362. Relating to telephone communications, limiting the number of subscribers for which service may be provided on any one line of communication.

Agriculture.

By Mr. Steagall (with notice and proof):

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 363:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The superintendent of education of Dale County shall be entitled to a salary of twelve thousand dollars ($12,000) per annum, and such allowance for travel and other expenses as shall be fixed by the county board of education. Such salary and allowance shall be paid in equal monthly installments out of any funds available to the Dale County board of education and shall be the entire compensation to which the county superintendent of education is entitled.

Section 2. All laws and parts of laws, both general and special, in conflict with this act are repealed.

Section 3. This act shall become effective July 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

By Mr. Steagall:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

Local Legislation No. 1.

By Mr. Steagall (with notice and proof):

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 365:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The county board of education of Dale County shall be required to hold one regular meeting of the board each month for the transaction of any business properly coming before the board but shall not be required to hold any meetings in addition to the regular meetings. The chairman of the board may, if he deems it necessary, call special meetings of the board but such additional meetings shall not be required by law. The minutes of all board meetings shall state the purpose for which each meeting is held.

Section 2. All laws and parts of laws, local or general, in conflict with this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

By Mr. Steagall (with notice and proof):

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Local Legislation No. 1.

Notice and Proof H. 366:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Dale County, each member of the board of registrars shall receive $10 per day to be paid by the state, and $5 per day to be paid by the county, to be disbursed on order of the judge of probate for each day's attendance of the registrar upon the sessions of the board.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

By Mr. Steagall (with notice and proof):

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

Local Legislation No. 1.

Notice and Proof H. 367:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the City of Ozark, Dale County, are hereby altered, rearranged and extended so as to include within the corporate limits of said City the following described territory lying and being in Dale County:

E½. Section 19, Township 5 North, Range 24 East, Dale County, Alabama, containing 320 acres, more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me May 22nd, 1969.

CELESTE A. WOODS,
A Notary Public.

By Mr. Drake:

H. 368. Relating to taxation, making further exemptions from State sales and use taxes.

Ways and Means.

By Mr. Drake:

H. 369. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Ways and Means.

By Messrs. Hain, Steagall and Blanton:

H. 370. To amend further Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to change the time for claiming the right to appointment as a testamentary guardian.

Judiciary.

By Mr. Blanton:

H. 371. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Mr. Mays:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

Local Legislation No. 1.

By Mr. Owens (W.E.):

H. 373. To provide that members of the fire department and members of the police department of the same municipality having equivalent rank shall receive equal pay; to provide that the fire chief and the police chief of the same municipality shall be of equivalent rank; to provide that the governing body of the municipality shall determine what positions in the fire department and police department of such municipality, other than fire chief and police chief, are of equivalent rank; to require the authority having power to establish salaries for members of the police department and of the fire department of a municipality to establish equal pay for members of the two departments of the same municipality having equivalent rank; to provide that this Act shall not prohibit the establishment, for positions in the two departments, of a minimum salary and a maximum salary and such intermediate salaries as are deemed advisable by the authority empowered to establish salaries for members of the two departments; to provide that the Act shall not prohibit rules providing for the advancement from the minimum salary to the maximum salary

attached to a position; to repeal all laws or parts of laws, whether general, special or local, in conflict with the provisions of this Act; to provide that if any part of this Act is held unconstitutional such holding shall not affect any other part of this Act; and to provide when this Act shall become effective.

Business and Labor.

By Messrs. Berryman (W), Drake, Merrill, Beck, Lemley, Brassell, Pearson, Harper, Young, Mathews, Headley, Stubbs, Berryman (R), Wright, Cook, (Jefferson), Meade, Marr, Pennington, Jackson (F), Perloff, McCorquodale, Springer, Melton, Owens (W), Brannan, Mays, Hardin, Owen (Baldwin), Paulk, Agee, Holladay, Grayson, Culver, Haygood, Hill, Williams, Slate, House, Robertson, Nettles, Lybrand, Pruitt, Tuck, Dobbs, Jackson (T), Wood, Manley, Gloor, Sessions, Fine, Waggoner, Cameron, Brown, Higginbotham, Snell, Ellis, Smith, Collins (C), Cherner, Turnham, Holman and Owens (W. E.):

H. 374. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalities for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

State Administration.

By Messrs. Bowers, Dill, Jackson (T), Weeks, Meade, Waggoner, Lemley, Holman, Bank, Culver, Robertson, McCorquodale and Meeks:

H. 375. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who served honorably in the armed forces of the United States at any time during the period from January 31, 1955, through December 31, 1963, and under certain conditions to the wives and widows of persons who served honorably during this period.

Judiciary.

By Messrs. Weeks and Bowers:

H. 376. To make appropriations from the general fund in the state treasury to the National Veterans Day Committee for the purpose of assisting in financing the National Veterans Day Programs in Birmingham.

Ways and Means.

By Messrs. Meeks, Cook (Jefferson) and Waggoner:

H. 377. Relating to blind and otherwise handicapped persons; to declare the policy of the State relative to such persons; to declare, define and safeguard certain rights, possessed by such persons, to prescribe penalties for denying or interfering with the enjoyment

of such rights; and to place certain duties relative to such persons on drivers of motor vehicles, and on operators of common carriers, public accommodations and other places to which the public generally is invited; and to provide for proclaiming October 15 each year as "White Cane Day."

State Administration.

By Mr. Hill:

H. 378. To amend Code of Alabama 1940, Title 7, Section 587, which authorizes and provides for the perfecting of the lien of a judgment of a justice of the peace or a court of like jurisdiction by its registration and recording in the office of a judge of probate, so as: to require the registering of such a judgment in a county or circuit court prior to its registration in a probate office; to authorize and provide for testing each such judgment in such county or circuit court before its registration therein; to prescribe the effect of such a judgment after it is so registered in a county or circuit court; and to forbid the acceptance for and the registering and recording of a judgment of a justice of the peace or a court of like jurisdiction unless it has been registered in a county or circuit court and bears the notation thereof as prescribed in this act.

Judiciary.

By Mr. Hill:

H. 379. Relating to the operation of vehicles in this state; amending further Code of Alabama 1940, Title 36, Sections 2 and 3, so as to provide that the driving anywhere in the state, not just on highways, of vehicles of all kinds, not just motor vehicles, by habitual users of narcotics or by intoxicated persons or the driving thereof recklessly shall be offenses proscribed by such sections.

Highway Safety.

By Mr. Hill:

H. 380. To provide for the establishment of standards for giving blood alcohol tests, and to relieve physicians, registered nurses and duly licensed clinical laboratory technologists and clinical laboratory technicians from civil and criminal liability for damages resulting from the proper administration of a blood alcohol test when such test is made on the request of district attorney or other duly authorized prosecuting officer.

Highway Safety.

By Messrs. Hill, Manley, Slate, McDonald and Wright:

H. 381. To make it a felony for a father to fail to comply with terms of a court order requiring him to support his child or children.

Judiciary.

By Messrs. Hill, Manley, McDonald and Wright:

H. 382. To make a further and additional appropriation of $500,000 for capital outlays to the Alabama Industrial School for Negro Children.

Ways and Means.

By Messrs. Hill, Manley, Slate, McDonald and Wright:

H. 383. To amend Sections 1 and 2 of Title 27, Code of Alabama 1940, so as to require under certain conditions that a birth certificate shall accompany a petition for adoption, and so as to relieve the De-

partment of Pensions and Security of certain responsibilities in relation to stepparent and other relative adoptions.

Judiciary.

By Messrs. Haygood, Downing, Hill, Stubbs, Weeks, Dill, Bank, Wright, Beck, Drake, Snell, Headley, Culver, Lemley, Berryman (R), Grainger, Burgreen, Graham, Holladay, Owens (W. E.), Malone, Brown, Berryman (W), Robertson, Holman and Shumate:

H. 384. Relating to taxation; providing for the advance payment of the state sales tax by retailers to manufacturers, wholesalers, jobbers and suppliers; to facilitate collection of the tax and to allow credit for such payments; requiring manufacturers, wholesalers, jobbers and suppliers to maintain certain records and reports and to file reports and make payments to the state revenue department and to allow compensation therefor; incorporating herein certain provisions of Act 100, H. 94, Second Special Session 1959 as amended; authorizing the commissioner of revenue to promulgate rules and regulations for the administration and operation of this act; providing that this act is cumulative and supplementary to the state sales tax law and providing exemptions from its application.

Ways and Means.

By Messrs. Berryman (R) and Burgreen:

H. 385. To exempt plants and herbicides from local sales and use taxes in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, in which such local taxes are levied.

Ways and Means.

By Mr. Turnham:

H. 386. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

Education.

By Mr. Neville:

H. 387. To provide individuals with additional methods and rates in determining a reasonable allowance for the exhaustion, wear and tear of property from which any income is derived, including a reasonable allowance for obsolescence; to provide individuals with an additional first-year allowance for the exhaustion, wear and tear of property from which any income is derived, including an allowance for obsolescence.

State Administration.

By Mr. Neville:

H. 388. To provide corporations doing business in Alabama with additional methods and rates in determining a reasonable allowance for the exhaustion, wear and tear of property from which any income is derived, including a reasonable allowance for obsolescence; to provide corporations doing business in Alabama with an additional first-year allowance for the exhaustion, wear and tear of property from which any income is derived, including an allowance for obsolescence.

State Administration.

By Mr. Neville:

H. 389. To grant certain exemptions from local sales and use taxes to residents of all counties having populations of not less than 24,600

nor more than 25,300 according to the most recent federal decennial census; to regulate the manner of claiming such exemptions and of reporting and paying the local sales and use taxes when sales hereby exempted from such local taxes have been made.

Ways and Means.

By Mr. Neville:

H. 390. Further regulating reports and returns relative to the Alabama sales and use taxes; requiring the makers of such reports and returns to show thereon, separately by county, the total amount of their taxable business done in all counties in this State having populations of not less than 24,600 nor more than 25,300 according to the most recent federal decennial census.

Ways and Means.

By Mr. Neville:

H. 391. To authorize counties and municipalities to provide for establishment and operation of non-profit ambulance services.

Local Government.

By Mr. Neville:

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision thereof which provides for the expiration of the Act.

Ways and Means.

By Mr. Neville:

H. 393. To amend Code of Alabama 1940, Title 34, Section 90, relating to non-support of certain dependents so as to impose certain duties on certain persons living under meretricious arrangements and to provide penalties for violations.

Judiciary.

By Mr. Cherner:

H. 394. To prescribe standards for existing and future public facilities for the general assembly of people such as auditoriums, theaters, assembly halls, coliseums, and stadiums but not limited to these facilities; and, to direct the State Building Commission to provide adequate periodic inspection services to insure compliance with such standards necessary to provide for the health, safety, and welfare of the people of Alabama.

Health.

By Mr. Young:

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

Local Legislation No. 1.

By Mr. Fite:

H. 396. Relating to the compensation of the State Superintendent of Education.

Judiciary

By Messrs. Collins (W), Owens (W), Melton, Ellis, Snell, Gloor, Adwell, Money, Waggoner, Sessions, Stubbs, Hill, Haygood, Lemley, Springer, Brannan, Owen (Baldwin), Jackson (F), Mays, Nettles, McCorquodale, Smith, Tuck, Manley, Hardin, Dill, Bank, Higginbotham, Yeilding, Grainger, House, Kilgore, Holman, Beck, Malone, Wright, Mathews, Cherner, McElhaney, Harris, Neville, Agee, Garrett, Cook (Coffee), Hobbie, Collins (C), Edington, Headley, Lyons, Berryman (W), Collier, Brown, Robertson, Stembridge, Culver, Burgess, Blanton, Turnham, Paulk, Foshee, Dobbs, Young, Jones and Crawford:

H. 397. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of aclohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Mr. Grayson:

H. 398. To amend Section 629 of Title 7, Code of Alabama 1940, relating to exemptions of personal property of residents from a total of one thousand dollars to a total of two thousand dollars in value to be selected.

Judiciary.

By Messrs. Edington and Grayson:

H. 399. To create the Alabama State Docks Authority; providing for the membership thereof and for the manner of appointment and the powers and duties of the commissioners of the Authority and of the State Docks Director; transferring to the Authority all the rights, powers, duties, authority, funds, property, books, records and effects of the Alabama State Docks Department; abolishing the Alabama State Docks Department and the State Docks Advisory Committee; repealing Act 103 (H. 230) Acts of Alabama, 1955, Vol. 1, p. 345; and Act No. 302, Acts of Alabama, 1961, p. 2362; and amending Sec. 9 and Sec. 13 of Title 38, Code of Alabama 1940.

State Administration.

By Messrs. Collins (W), McCorquodale, Cook (Jefferson), Marr, Cameron, Hobbie, Nettles, Edington, Lyons, Downing and Collins (C):

H. 400. To amend Act No. 497, H. 616, Regular Session 1959 (Acts of 1959, Page 1231) which creates the position of Chief Engineer in the State Highway Department and provides for his appointment, qualifications, duties, responsibilities and salary; so as to provide further for his appointment, compensation, qualifications and duties.

State Administration.

By Mr. Downing:

H. 401. To amend Code of Alabama 1940, Title 39, Section 184, in relation to the designation of legal holidays, prescribing certain holidays.

State Administration.

By Messrs. Marr, Downing and Grayson:

H. 402. To amend Code of Alabama 1940, Title 13, Section 263, in order to raise the court reporter's fees for making transcripts of the proceedings of judicial trials.

Judiciary.

By Messrs. Perloff, Wright, Cameron, Wood, Collins (W), Jackson (T), Grayson, Beck and Neville:

H. 403. To prescribe a summary judgment rule to apply in the circuit courts and in courts of full like jurisdiction in all suits of a civil nature.

Judiciary.

By Mr. Cameron:

H. 404. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

State Administration.

By Mr. Cameron:

H. 405. Relating to insurance; to require the inclusion of a provision in each fire insurance policy hereafter issued that the insurer will pay a reasonable sum as fees or compensation for attorneys prosecuting the cause in any judgment rendered against the insurer and in favor of the beneficiary; to provide certain limitations on the application of this act.

State Administration.

By Mr. Cameron:

H. 406. Providing for nonpartisan election of circuit judges, judges of the Court of Appeals, and the Chief Justice and Associate Justices of the Supreme Court of the State of Alabama.

Judiciary.

By Mr. Cameron:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

Local Legislation No. 4.

By Messrs. Springer, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 408. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 823, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Ways and Means.

By Messrs. Springer, Cook (Coffee), Cook (Jeferson), Sessions, Waggoner, Crane, Dill and Yeilding.

H. 409. To amend Section 1, 2, 3 and 4 of Act #590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Ways and Means.

By Messrs. Springer, Merrill, Lybrand, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 410. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making an appropriation therefor.

Ways and Means.

By Messrs. Springer, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding.

H. 411. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education; and making an appropriation therefor.

Ways and Means.

By Messrs. Springer, Cook (Coffee), Cook (Jefferson), Sessions, Waggoner, Crane, Dill and Yeilding:

H. 412. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615), to contract for and to provide technical assistance and consultant services to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

Ways and Means.

By Mr. Springer:

H. 413. Relating to state employment; providing for payment of certain expenses of job transference.

Ways and Means.

By Mr. Springer:

H. 414. To amend the Code of Alabama, 1940, Title 51, Section 611 in relation to the license tax payable on motor vehicles.

Ways and Means.

By Mr. Tuck (with notice and proof):

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

Local Legislation No. 1.

Notice and Proof H. 415:

STATE OF ALABAMA
COUNTY OF PICKENS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and establish commissioners districts in Pickens County.

Be It Enacted by the Legislature of Alabama:

Section 1. The county of Pickens is hereby divided into four commissioners districts as follows:

The First District shall be composed of the election beats known as Henry, Providence, Vail's, Palmetto, Ethelsville (or Yorkville), Beard's, Reform, and that part of Bostick Beat which lies west of Lubbub Creek and is more particularly described as: All of Township 20 South, Range Fourteen West of the Huntsville Meridian, lying west of Lubbub Creek, and shall embrace the territory in said county now covered by said beats.

The Second District shall be composed of the election beats known as King's Store, Olney, Franconia (or Aliceville), Vienna, Bethany, Cochrane (or Fairfield), Dancy and Memphis, and shall embrace the territory in said county now covered by said beats.

The Third District shall be composed of the beats of Shelton, Corrs, Gordo, Raleigh and all of Bostick except that part which lies west of Lubbub Creek and is more particularly described as: All of Township 20 South, Range Fourteen West of the Huntsville Meridian lying West of Lubbub Creek.

The Fourth District shall be composed of the beats of Speed's Mill, Carrollton, Springhill, Pickensville and Pine Grove, and shall embrace the territory in said county now covered by said beats, except as hereinabove provided.

The word beats as herein used means the election beats or precincts into which Pickens County is divided pursuant to law in the date on which this act becomes law.

Section 2. Act No. 156, H. 397, of the Regular Session of 1923 (Local Acts, 1923, p. 76) and all other laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall beits passage and approval by the come effective immediately upon Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald & West Alabamian, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 28, April 4, April 11, and April 18, all in the year 1969.

EUTEAL JUNKIN.

Sworn to and subscribed before me this 14th day of May, 1969.

ROBERT H. KIRKSEY,
Judge of Probate.

By Mr. Tuck (with notice and proof):

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Local Legislation No. 1.

Notice and Proof H. 416:

STATE OF ALABAMA
PICKENS COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County: providing for condemnation of any motor vehicle, gun, rifle or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting deer, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting deer at night in Pickens County shall be contraband and shall be forfeited to the State of Alabama. Such property may be seized by the Sheriff of the county or by any other officer or person acting under authority of law in the enforcement of laws of this state, and the Sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same or any interest therein if the same is known or can be ascertained, the date of seizure, and a statement of the circumstances connected with the appresension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in section one of this Act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in night hunting or that the hunter be apprehended in the actual act of killing deer but it shall suffice to prove possession upon the person or in any motor vehicle of such persons of guns, ammunition, and other equipment normally used in hunting deer and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting of deer.

Section 3. Except as otherwise otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of autobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be aid into the state treasury to the credit of the Game and Fish fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Euteal V. Junkin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 20, Mar. 27, April 3, and April 10, all in the year 1969.

EUTEAL V. JUNKIN.

Sworn to and subscribed before me May 16, 1969.

ROBERT H. KIRKSEY,
Judge of Probate,
Pickens County, Alabama.

By Messrs. Manley and Pruitt:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,300 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Local Legislation No. 1.

By Messrs. Manley, Pruitt, Tuck, McCorquodale, Garrett, Agee and Melton:

H. 418. To make a conditional appropriation from the Alabama special educational trust fund in the state treasury to the use of the Alabama Education Television Commission.

Ways and Means.

By Mr. Stubbs:

H. 419. To provide punishment for a county prisoner sentenced to hard labor who refuses to work when ordered to do so.

Judiciary.

By Messrs. Holladay, Mathews and Pruitt:

H. 420. To make an appropriation to the Governor's office for the payment of legal fees in connection with legal actions filed or to be filed against the State Board of Education, local boards of education or superintendents of education.

Ways and Means.

By Messrs. Holladay, Mathews and Smith:

H. 421. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable Federal rules and regulations to implement this Act and to comply with the relocation assistance provisions of the Federal-Aid Highway Act of 1968 and subsequent Federal Acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, Recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

State Administration.

By Messrs. Bank, Weeks, Culver, Edington, Lyons, Merrill, Lybrand, Cook (Jefferson), Marr, Bowers and Waggoner:

H. 422. To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to the next of kin of certain persons who have died or who hereafter die while in the active service of the Armed Forces of the United States during a prescribed period when the United States was, is or shall be engaged in hostilities with a foreign state, whether as a result of a declared war or not; and to provide for the administration of this act by the state department of veterans' affairs.

Ways and Means.

By Messrs. Bank, Weeks, Culver, Edington, Lyons, Merrill, Lybrand, Cook (Jefferson), Marr, Bowers and Waggoner

H. 423. To amend further "The Alabama G.I. and Dependents' Educational Act," Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama 1951, p. 259); in relation to the periods during which service must be rendered, the duration of such service and the time of residence in Alabama of the veteran entitled to benefits under the Act; to eliminate certain redundancies in the Act; to clarify certain ambiguities therein; and to provide that the benefits authorized therein shall be in addition to other state and federal benefits accorded to children, wives and Widows of the Act.

State Administration.

By Messrs. Bank, Weeks, Culver, Edington, Lyons, Merrill, Lybrand, Cook (Jefferson), Marr, Bowers and Waggoner

H. 424. To provide for and regulate the payment from the general fund in the state treasury of a bonus to certain prisoners of war who were captured while serving within a prescribed period in the Armed Forces when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared

war or not; and to provide for the administration of this act by the State Department of Veterans' Affairs.

Ways and Means.

By Messrs. Culver, Brown, Bank, Robertson, Haygood and Wood:

H. 425. To authorize the distribution of certain handbills.

Business and Labor.

By Messrs. Robertson, Culver, Bank, Brown, Perloff, Downing, Grayson, Wood and Graham:

H. 426. To amend Act No. 229, enacted by the Regular Session, 1967, of the Legislature of Alabama.

Ways and Means.

RESOLUTION

The following resolution was introduced:

By Mr. Malone:

H. R. 17. WHEREAS Mr. Herbert Burton, native Alabamian, public school teacher and coach in Etowah County, has for many years devoted his life to training students both in the classroom and on the athletic field; and

WHEREAS Mr. Burton is the author of a book entitled The Adventures of Dixie North, published in 1965, which is a moving and inspirational story of the life of an orphan boy; and

WHEREAS Mr. Burton's true knowledge of young people has enabled him to depict realistic characters in a fascinating story which is skillfully told; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That we commend Mr. Burton both for his book The Adventures of Dixie North and for his outstanding leadership of youth in his area.

On motion of Mr. Malone, the rules were suspended and H. R. 17 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Skidmore, Pierce and Goodwyn:

S. J. R. 1. WHEREAS the Honorable Bert Bank, a distinguished and well regarded member of this body, has received the Thad Holt Distinguished Broadcaster Award at the 29th annual Department of Broadcast and Film Communication banquet held at the University of Alabama on May 5, 1969; and

WHEREAS the Honorable Robert Inman, Press Secretary to the Governor, was named Distinguished Alumnus at the above mentioned banquet; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Representative

Bank and Mr. Inman for achieving the highest recognition from the members of their profession, and express our pride, and that of the people of Alabama that this professional organization has chosen to reward such deserving public servants.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 1 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Torbert:

S. J. R. 2. WHEREAS, 120 young people forming the Handley High Band captured the attention of contest and parade spectators and judges with their distinctive uniforms, snappy maneuvers and bouncing music and thereby became first place winner of the marching competition for Classes 3 and 4 at the Dogwood Arts Festival recently held in Knoxville, Tennessee;

WHEREAS, in addition to winning first place in these classes in the marching competition they also won a huge trophy for the band's participation in other events at the Dogwood Arts Festival;

WHEREAS, these two Knoxville additions bring the Handley High Band's 1968-69 total of trophies to fourteen, earned in four competitions, the other twelve representing superior or first-place performances by band, drum major, flag corps and majorettes; and

WHEREAS, in winning first place for marching in Knoxville, Handley outstripped a number of bands made up entirely of senior high school students while Handley's band includes both junior and senior high school students; now, therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Mr. Ronald Hyche, the Band Director and each member of the Handley High Band for the excellence of the band's performance, not only in Knoxville but throughout this season. We are justly proud of this outstanding band and of the fine young Alabama citizens who participate in this band; and we rejoice with them at having been accorded this signal honor, which they truly earned and richly deserve.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mr. Ronald Hyche, a copy to the principal of Handley High School and a copy to the local newspaper.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turnham, the rules were suspended and the House concurred in and adopted the S. J. R. 2 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 6. Relative to adjournment and recess of the two Houses.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 3. WHEREAS, under Senate Resolution #58 adopted September 2, 1966, certain positions of employees of the Legislature were made permanent to remain and serve after the sine die adjournment of the Legislature at the same rate of pay for such time as needed by the Chairman of the Finance and Taxation Committee, and

WHEREAS, such positions have been considered permanent and covered under the Employees' Retirement System of Alabama from October 1, 1966,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, That service rendered prior to October 1, 1966, shall be creditable in the Employees' Retirement System of Alabama upon payment of contributions which would have been made had these employees been allowed to join the Retirement System, plus regular interest to date of payment with such payments for all service rendered not to be creditable prior to 1957. Such payment shall be made within 8 months after passage of this resolution.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Coffee), the rules were suspended and the House concurred in and adopted the S. J. R. 3 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. Appointing a joint committee to notify His Excellency, the Governor, that the Legislature is now in Session.

And the President and Presiding Officer of the Senate appointed as Members on part of the Senate Messrs. Cooper and Nabors.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 1. Eulogizing the memory of the late Governor Lurleen B. Wallace on the eve of the first anniversary of her death.

Also:

H. J. R. 4. Relative to retaining certain clerical personnel in the House and Senate during the two-week recess.

Also:

H. J. R. 5. Naming the Alabama National Guard Armory at Arab, Alabama "Fort Wilbur B. Fowler".

Also:

H. J. R. 7. Commending Mrs. Jerrie Lybrand, wife of Representative Fred Lybrand, for having been selected to receive the Distinguished Young Woman Award by the Anniston Jaycettes.

Also:

H. J. R. 8. Commending Honorable Lewis E. McCray of Tuscaloosa for his distinguished service as National Vice Commander of the American Legion.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn and Radney:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Also:

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn and Radney:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 51. Judiciary.

S. 52. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Messrs. Torbert, Engel, Clark, Turner, Goodwyn and Radney:

S. 53. To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 53. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 4. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the printed Acts of the 1969 Extraordinary Session be bound with the printed Acts of the 1969 Regular Session.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 4 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 9. Congratulating Professor Carleton K. Butler upon his retirement after an outstanding career as Director of the Million Dollar Band.

Also:

H. J. R. 10. Relative to requesting the Attorney General to submit all legislation enacted since November 1, 1964, relative to elections and voting rights, to the Attorney General of the United States for review.

Also:

H. J. R. 11. Commending the Montgomery Fire Department for their generous contributions to the Lurleen B. Wallace Courage Crusade.

Also:

H. J. R. 12. Mourning the death of Dr. John T. Sheppard of Gadsden, Alabama, outstanding citizen and physician.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Merrill, Lybrand, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (R), Blanton, Bowers, Brannan, Brassell, Brown, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Lemley, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McElhaney, Meade, Meeks, Melton, Money, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Weeks, Wood, Wright, Yeilding, Young:

H. J. R. 18. WHEREAS we are deeply grieved to learn of the death this morning of Mr. Josh R. Burgess, father of our beloved colleague, Representative Ray Burgess of Calhoun County; and

WHEREAS Mr. Burgess, resident of Duke, Alabama and life long native of Calhoun County, was a member of the Methodist Church and of Masonic Lodge number 574. He was highly regarded and greatly loved by a host of friends and admirers who join his family in mourning his death; and

WHEREAS Mr. Burgess passed away at Stringfellow Hospital in Anniston after a long and continuing illness. His funeral will be held tomorrow afternoon at three o'clock at the Union Methodist Church in Duke, Alabama with interment in the Union Hill Cemetery; and

WHEREAS Mr. Burgess is survived by his widow, Mrs. Gladys Burgess, one other son Charles, in addition to our close and warm friend, Ray to whom we extend special condolences; and a daughter, Miss Peggy Jane, all of Duke, Alabama; a brother, Mr. Tommy and a sister Miss Nannie Richie, both of Ohatchee, Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Mr. Josh R. Burgess and extend our deep and heartfelt sympathy to the members of his family to whom copies of this resolution shall be sent.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 18 was adopted.

Also:

By Messrs. Brown, Robertson, Bank and Culver:

H. J. R. 19. WHEREAS, Dr. Simril F. Bryant, the pastor of the First Presbyterian Church of Tuscaloosa, has retired from the active ministry after forty-one years of continuous service, having spent

twenty-two of those years as minister of the First Presbyterian Church of Tuscaloosa; and

WHEREAS, Dr. Bryant is loved and admired by all of those with whom he has come in contact over the years, and has served his people well, and has served his county and his community far beyond the call of duty; and

WHEREAS, in the continuous effort to serve the people of Tuscaloosa and Alabama, Dr. Bryant is past president of the Tuscaloosa Ministerial Association, a former trustee of Stillman College, and has served as Moderator of the Synod of Alabama of the Presbyterian Church; and

WHEREAS, Dr. Bryant is listed in Who's Who of the South and Southeast, and is a member of the Chamber of Commerce of Tuscaloosa, a member of the Tuscaloosa County Mental Health Association, a member of the County Welfare Board, and Kiwanis Club; and

WHEREAS, in the performance of his pastoral duties in the City of Tuscaloosa over the past twenty-two years he has endeared himself to the hearts of many University students over all parts of Alabama and the southland, and will continue to exert a great influence for good over the lives of those with whom he came in contact.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both houses thereof concurring, that this Legislature does acclaim the activities of Dr. Bryant over the years, and does now congratulate him upon his reaching the age of retirement.

BE IT FURTHER RESOLVED that this Legislature does wish for him a long and continued life of happiness in his retirement.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded by the Clerk of the House to Dr. Bryant, and that a copy be forwarded to the Chairman of the Board of Deacons of the First Presbyterian Church of Tuscaloosa, Alabama.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Dr. R. Mathew Lynn, Moderator of the General Assembly of the Presbyterian Church of the United States.

On motion of Mr. Brown, the rules were suspended and H. J. R. 19 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 9. Expressing appreciation to Colonel Carleton K. Butler, Professor of Music and Director of Bands at the University of Alabama, upon his retirement after thirty-four years of outstanding service.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and

hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:10 PM On May 22, 1969.

H. J. R. 9.

JOHN W. PEMBERTON,
Clerk.

BILLS ON THIRD READING

And the bill (with amendment):

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,000 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation #1, said Committee amendment being as follows:

In the title, strike the number 49,000 and insert in lieu thereof 49,700.

Also, amend by deleting all words in Section 8 after the words "general fund of the county".

Also, amend by deleting in its entirety Section 9.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Paulk
Agee	Edington	Jackson (T)	Pearson
Bank	Ellis	Jones	Perloff
Bassett	Foshee	Kilgore	Pruitt
Beck	Garrett	Lyons	Robertson
Berryman (R)	Gloor	Malone	Sessions
Berryman (W)	Graham	Manley	Slate
Bowers	Grainger	Marr	Smith
Brannan	Grayson	Mathews	Snell
Brassell	Hain	Mays	Springer
Brown	Hardin	McCorquodale	Steagall
Cameron	Harper	McDonald	Stembridge
Collier	Harris	McElhaney	Stubbs
Collins (C)	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Turnham
Cook (Coffee)	Higginbotham	Money	Waggoner
Crawford	Hill	Nettles	Weeks
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	Holladay	Owens (W)	Yeilding
Dobbs	Holman	Owens (W.E.)	Young
Downing			

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Mr. Owen (Baldwin) offered the following amendment to the bill, H. 1, as amended:

Amend Section 10, 11, and 12 of House Bill No. 1 by changing numbers on Section 10, 11 and 12 to Sections 9, 10, and 11.

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Owens (W)
Adwell	Dobbs	Holladay	Owens (W.E.)
Agee	Downing	Holman	Paulk
Bank	Drake	Jackson (F)	Pearson
Bassett	Edington	Jackson (T)	Pruitt
Beck	Ellis	Jones	Robertson
Berryman (R)	Foshee	Kilgore	Sessions
Berryman (W)	Gafford	Lyons	Slate
Bowers	Garrett	Malone	Smith
Brannan	Gloor	Manley	Snell
Brassell	Graham	Marr	Springer
Brown	Grainger	Mathews	Steagall
Cameron	Grayson	Mays	Stembridge
Cherner	Hain	McCorquodale	Stubbs
Collier	Hardin	McDonald	Tuck
Collins (C)	Harper	McElhaney	Turnham
Collins (W)	Harris	Meeks	Waggoner
Cook (Coffee)	Haygood	Melton	Weeks
Crane	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Yeilding
Culver	Hill	Owen (Baldwin)	Young

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And the bill, H. 1, as thus amended:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grainger	Kilgore
Adwell	Cook (Coffee)	Grayson	Lyons
Agee	Crane	Hain	Malone
Bank	Crawford	Hardin	Manley
Bassett	Culver	Harper	Marr
Beck	Dill	Harris	Mathews
Berryman (R)	Dobbs	Haygood	Mays
Berryman (W)	Downing	Headley	McCorquodale
Blanton	Drake	Higginbotham	McDonald
Bowers	Edington	Hill	McElhaney
Brannan	Ellis	Hobbie	Meeks
Brassell	Foshee	Holladay	Melton
Brown	Gafford	Holman	Money
Cameron	Garrett	Jackson (F)	Nettles
Cherner	Gloor	Jackson (T)	Owen (Baldwin)
Collier	Graham	Jones	Owens (W)

Owens (W.E.)	Shumate	Steagall	Waggoner
Paulk	Slate	Stembridge	Weeks
Pearson	Smith	Stubbs	Wood
Perloff	Snell	Tuck	Yeilding
Pruitt	Springer	Turnham	Young
Sessions			

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And the bill:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Adwell	Downing	Jackson (T)	Owens (W.E.)
Agee	Drake	Jones	Paulk
Bank	Edington	Kilgore	Pearson
Bassett	Ellis	Lemley	Perloff
Beck	Foshee	Lybrand	Pruitt
Berryman (R)	Gafford	Lyons	Sessions
Berryman (W)	Garrett	Malone	Shumate
Blanton	Gloor	Manley	Slate
Bowers	Graham	Marr	Smith
Brannan	Grainger	Mathews	Snell
Brassell	Grayson	Mays	Springer
Brown	Hain	McCorquodale	Steagall
Cameron	Hardin	McElhaney	Stembridge
Cherner	Harper	Meade	Stubbs
Collier	Harris	Meeks	Tuck
Collins (C)	Haygood	Melton	Turnham
Collins (W)	Headley	Merrill	Waggoner
Cook (Coffee)	Higginbotham	Money	Weeks
Crane	Hill	Nettles	Wood
Crawford	Hobbie	Neville	Yeilding
Culver	Holladay	Owen (Baldwin)	Young
Dill	Holman		

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And the bill:

H. 24. Further regulating reports and returns relative to the Alabama sales and use taxes; requiring the makers of such reports and returns to show thereon, separately by county, the total amount of their taxable business done in all counties in this State having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census.

Was taken up.

ADJOURNMENT

On motion of Mr. Merrill, the House adjourned until Tuesday, May 27, 1969, at twelve o'clock noon.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 27, 1969

The House met pursunat to adjournment.

PRAYER

The session was opened with prayer by the Reverend Charles Ledell, Minister, First Independent Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W.E.)
Adwell	Doss	Jackson (T)	Paulk
Agee	Downing	Jones	Pearson
Bank	Drake	Kilgore	Pennington
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Pruitt
Berryman (R)	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Bolton	Garrett	Manley	Smith
Bowers	Gloor	Marr	Snell
Brannan	Graham	Mathews	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McCorquodale	Steagall
Burgess	Hain	McDonald	Stembridge
Burgreen	Hardin	McElhaney	Stubbs
Cameron	Harper	McLain	Tuck
Cherner	Harris	Meade	Turnham
Collier	Haygood	Meeks	Waggoner
Collins (C)	Headley	Melton	Watkins
Collins (W)	Higginbotham	Merrill	Weeks
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crane	Holladay	Neville	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Springer, Fite, Adwell, Bassett, Berryman (R), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgreen, Cameron, Cherner, Collier, Collins (C), Cook (Jefferson), Crane, Dill, Dobbs, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holman, House, Jackson (F), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Mays, McCorquodale, McElhaney, McLain, Meeks, Melton, Merrill, Money, Nettles, Neville, Owens (W), Pearson, Pennington, Perloff, Robertson, Sessions, Shumate, Smith, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Weeks, Williams, Wood, Wright, Yeilding and Young:

H. J. R. 20. RESOLVED BY THIS LEGISLATURE:

WHEREAS, the year 1969 marks the beginning of the 50th Anniversary Celebration of the League of Women Voters of the United States; and

WHEREAS, the League of Women Voters, which was founded in 1920 primarily to help 20 million women voters to carry out their new responsibilities, has in fact assisted men and women voters alike, and

WHEREAS, the League of Women Voters has provided nonpartisan information on candidates and ballot issues prior to elections, encouraged registration and informed voting and help generations of women understand the structure and function of government; and

WHEREAS, the League of Women Voters of Alabama was established in 1951 to this same end; and

WHEREAS, the League of Women Voters, while nonpartisan in relation to candidates and political parties, has studied and acted upon many issues of government in the public interest; and

WHEREAS, the League of Women Voters of Alabama has strengthened State government in Alabama through its work on such issues as election law reforms, water pollution control, and additional revenue for education;

BE IT RESOLVED, That the members of this Legislature unite in congratulating the League of Women Voters upon the 50th Anniversary of its founding and in commending the League for its long record of public service.

BE IT FURTHER RESOLVED, That the Clerks of the House and Senate cause a copy of this resolution to be sent to the League of Women Voters of Alabama and to the League of Woman Voters of the United States as a sincere expression of the high esteem in which it is held.

On motion of Mr. Springer, the rules were suspended and H. J. R. 20 was adopted.

Also:

By Messrs. Mathews and Fite:

H. J. R. 21. WHEREAS, under House of Representative Resolution No. 156 adopted August 17, 1965, certain positions of employees of the Legislature were made permanent to remain and serve after the sine die adjournment of the Legislature at the same rate of pay for such time as needed by the Chairman of the Ways and Means Committee, and

WHEREAS, such positions have been considered permanent and covered under the Employees' Retirement System of Alabama from September 1, 1965,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING THEREIN, That service rendered prior to September 1, 1965, shall be creditable in the Employees' Retirement System of Alabama upon payment of contributions which would have been made had these employees been allowed to join the Retirement System, plus regular interest to date of payment with such payments for all service rendered not to be creditable prior to 1953. Such payment shall be made within 8 months after passage of this resolution.

On motion of Mr. Mathews, the rules were suspended and H. J. R. 21 was adopted.

Also:

By Messrs. Mathews and Fite:

H. J. R. 22. WHEREAS it is the consensus of this body that any person who is employed by the Legislature of this State and who at the time of employment by the Legislature had any status whatsoever under Code of Alabama 1940, Title 55, Chapter 9 in the classified service of the State, as defined by said Chapter 9, should not thereby nor by reason of continued service for the Legislature lose such status; and

WHEREAS the State Personnel Board has promulgated a rule to the effect that any person who has held a permanent appointment in the classified service and has resigned in good standing may have his name placed on a reemployment list and remain on such list no longer than four years; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State Personnel Board is hereby memorialized and directed to amend the above mentioned rule so that it will provide that any employee of the Legislature who, at the time he was employed by the Legislature, was entitled to have his name placed on a reemployment register, may have his name remain on such reemployment register so long as he is employed by the Legislature of this State and for a period of not less than six months after he leaves the service of the Legislature, provided he leaves the service of the Legislature in good standing.

The Clerk of the House of Representatives is hereby directed to transmit a duly authenticated copy of this resolution to the Secretary of the State Personnel Board.

On motion of Mr. Mathews, the rules were suspended and H. J. R. 22 was adopted.

LEAVE OF ABSENCE

On motion of Mr. Doss, leave of absence was granted to Mr. Slate because of personal illness.

RESOLUTION

The following resolution was introduced:

By Mr. Wood:

H. J. R. 23. A RESOLUTION TO THE CONGRESS OF THE UNITED STATES, THE ALABAMA CONGRESSIONAL DELEGATION,

THE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE OF THE UNITED STATES SENATE AND THE COMMITTEE OF INTERSTATE AND FOREIGN COMMERCE OF THE UNITED STATES HOUSE OF REPRESENTATIVES REQUESTING THAT AN INVESTIGATION BE MADE INTO THE MANNER IN WHICH THE INTERSTATE COMMERCE COMMISSION IS ALLOWING PASSENGER TRAIN SERVICE IN THE UNITED STATES TO BE SLAUGHTERED THROUGH SECTION 13a OF THE TRANSPORTATION ACT OF 1958.

WHEREAS, for many years the authority to discontinue passenger trains was left to the various state commissions having jurisdiction over same; and

WHEREAS, it was necessary for rail carriers to prove that by rights of convenience and necessity that discontinuing passenger service would not adversely affect the public and was a burden on interstate commerce to continue same; and

WHEREAS, with the passage of the amendment to the Transportation Act of 1958 gave the Interstate Commerce Commission authority and jurisdiction over applications filed under Section 13a of the Transportation Act; and

WHEREAS, many rail carriers have availed themselves of the opportunity, through Section 13a of the Transportation Act, to deprive the public of rail transportation by the removal of passenger trains and degrading their services and equipment so as to inconvenience the public.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING THEREIN:

That the Legislative Assembly of the State of Alabama request the Congress of the United States to initiate a Congressional investigation into the manner in which the Interstate Commerce Commission has allowed the mass slaughter of passenger trains; and

BE IT FURTHER RESOLVED, that the Congress of the United States be requested to declare a moratorium on all passenger train discontinuances until the investigation is complete and Congress determines what manner of authority will be required from the Interstate Commerce Commission to discontinue inter-city passenger trains.

BE IT FURTHER RESOLVED, that the Congress of the United States be informed that the authority granted the Interstate Commerce Commission under Section 13a of the Transportation Act of 1958 is not being used in the best interest of the citizens of the State of Alabama by approving the applications to discontinue 18 passenger trains over a period of 18 months.

BE IT FURTHER RESOLVED, that the Secretary of State be instructed to send copies of this resolution to the President of the United States; the President of the Senate of the United States; the Speaker of the House of Representatives of the United States; to the members of the Alabama Delegation of Congress; to the Chairman of the Committee on Interstate and Foreign Commerce of the United States; and to the Chairman of the Committee on Interstate and Foreign Commerce of the United States House of Representatives.

On motion of Mr. Wood, the rules were suspended and H. J. R. 23 was adopted.

LEGISLATIVE AGENT NOMINATED

On motion of Mr. Neville, the name of Benjamin B. Spratling, III, as Legislative Agent from Macon County, and it was seconded by Mr. Paulk.

And Mr. Spratling was elected by voice vote.

BILLS ON SECOND READING

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 288. (with amendment). To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions prededent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subject to future change by the legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 293. To establish minimum wages in Alabama; and to provide penalties for violations of the Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y.M.C.A. building.

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 352. (with substitute). To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 273. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Owen (Baldwin):

H. 427. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this State.

Conservation.

By Mr. Owen (Baldwin):

H. 428. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Conservation.

By Messrs. Neville, Brassell, Hain, Steagall, Melton, McLain, Wood, Nettles, Hill, and Smith:

H. 429. To amend further Code of Alabama 1940, Title 51, Section 460, as amended, to allow attorneys who enter military service to apply the license exemption period to the time they are actually in private practice.

Ways and Means.

By Mr. Neville:

H. 430. To make it unlawful to impersonate a police officer.

Judiciary.

By Mr. Lemley:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Local Legislation No. 1.

By Messrs. Merrill, Lybrand, Burgess, Downing, Cameron, McElhaney, Edington, Bank, Mathews, and Shumate:

H. 432. To amend Act No. 833, S. 128, Regular Session 1965, which creates the State Employees Insurance Board and authorizes such board to provide a health insurance plan for employees of the State: amending Section 1 of such Act so as to include members of the Legislature within the definition of the term "employee."

Judiciary.

By Messrs. Merrill, Lybrand, and Burgess:

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

Local Legislation No. 1.

By Messrs. Lybrand, Burgess, and Merrill:

H. 434. Relating to counties having a population of not less than 76,000 nor more than 96,000 according to the last or any subsequent federal decennial census: regulating newspaper publication of lists of registered electors in such counties.

Local Legislation No. 1.

By Mr. Lybrand:

H. 435. Relating to public health; Requiring fluoridation of municipal water supplies; prescribing the powers and duties of the state board of health in relation thereto.

Health.

By Mr. Lybrand:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Local Legislation No. 1.

By Mr. Snell:

H. 437. To amend Code of Alabama 1940, Title 35, Section 115, which relates to compensation for injury, disability, and death of members of the state militia.

Ways and Means.

By Messrs. McCorquodale, Collins (C), Nettles, Lyons, Wood, Grayson, Marr, Collins (W), Edington and Perloff:

H. 438. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

Ways and Means.

By Messrs. McCorquodale, Foshee, Jackson (F), Harper and Burgess:

H. 439. To transfer and reappropriate certain monies heretofore appropriated to the Farmers Market Authority for other expenses to such Authority's account for equipment purchases; and to authorize and regulate the use of funds hereby transferred and reappropriated.

Ways and Means.

By Messrs. McCorquodale and Pennington:

H. 440. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Ways and Means.

By Messrs. McCorquodale and Pennington:

H. 441. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Ways and Means.

By Mr. Young:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

Local Legislation No. 1.

By Mr. Cook (Coffee):

H. 443. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Ways and Means.

By Mr. Cook (Coffee):

H. 444. Relating to railroad crossings; to provide standards for construction thereof; to provide procedures for notice of noncompliance; and to provide penalties for violation, including payment of damages to any injured party.

State Administration.

By Mr. Cook (Coffee):

H. 445. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

State Administration.

By Mr. Berryman(W):

H. 446. Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

Local Legislation No. 1.

By Messrs. Foshee and Jackson (F):

H. 447. Relating to public utilities, amending Section 84 of Title 48, Code of Alabama 1940 so as to prohibit the filing of supersedeas bonds to stay certain orders of the public service commission in cases of appeal.

State Administration.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Local Legislation No. 1.

Notice and Proof H. 448:

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Covington County may appoint, in addition to the chief deputy sheriff, such number of additional deputy sheriffs as to provide for a total of not more than five additional deputies. Such additional deputies shall serve at the pleasure of the sheriff and shall perform the duties of deputy sheriffs of Covington County and such other duties connected with the office of the sheriff as the sheriff shall assign to them.

Section 2. The salary of the chief deputy sheriff shall be fixed by the board of revenue at an amount not to exceed $500 per month and the salary of each of the additional deputies shall be fixed by said board at an amount not to exceed $450 per month. Such salaries shall be paid out of the general fund of the county or from such other fund, in whole or in part, as the board of revenue may lawfully designate.

Section 3. All laws and parts of laws in conflict with the provisions of this act are hereby repealed and the following acts are specifically repealed: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; and 452); Act No. 46, H. 205 and Act No. 47, H. 206, both of the Regular Session 1957 (Acts 1957, p. 90).

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shalll not affect the part which remains.

Section 5. This act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Burgess, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Opp News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

ROBERT D. BURGESS.

Sworn to and subscribed before me May 16, 1969.

TOMMIE SUE AMMONS,
Notary Public.

By Messrs. Starnes and Graham:

H. 449. To require railroads to install or erect certain signals or warning devices at all grade crossings of public highways, roads and streets; to prescribe penalties for violations.

Business and Labor.

By Messrs. Starnes, Bassett, Dobbs, Drake and McDonald:

H. 450. Relating to taxation, making further exemptions from state sales and use taxes.

Ways and Means.

By Messrs. Starnes, Bassett, Dobbs, Drake and McDonald:

H. 451. To amend the revenue law so as to provide for exemption of commercial fish feed from sales and use taxes.

Ways and Means.

By Messrs. Drake, Beck and Starnes:

H. 452. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.'"

Ways and Means.

By Mr. Blanton:

H. 453. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing

for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Beck, Brown, Cook (Jefferson), Berryman (W), Drake, Meade, Dobbs and Perloff:

H. 454. To amend Section 12 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

Health.

By Mr. Mays (with notice and proof):

H. 455. To levy in Escambia County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

Local Legislation No. 1.

Notice and Proof H. 455:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy in Escambia Co. a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize

the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) The word "department" means the state department of revenue. (b) The word "county" means Escambia County, Alabama. (c) The word "annual" means the calendar year, or the taxpayer's fiscal year, when permission is obtained from the department to use a fiscal year as a tax period in lieu of a calendar year. (d) The word "value" means the sale price or market value at the mouth of the well. If the oil or gas is exchanged for something other than cash, or if there is no sale at the time of severance, or if the relation between the buyer and the seller is such that the consideration paid, if any, is not indicative of the true value or market price, then the department shall determine the value of the oil or gas subject to the tax hereinafter provided for, considering the sale price for cash of oil or gas of like quality. (e) The word "oil" means crude petroleum oil and other hydrocarbons regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the well. (f) The word "gas" means all natural gas, including casinghead gas, and all other hydrocarbons not defined as oil in subsection (e) above. (g) The word "severed" means the extraction or withdrawing from the soil or water or from below the surface of the soil or water of any oil or gas, whether such extraction or withdrawal shall be by natural flow, mechanically enforced flow, pumping, or any other means employed to get the oil or gas from the soil or water or from below the surface of the soil or water. (h) The word "person" means any natural person, firm, copartnership, joint venture, association, corporation, estate, trust, any other group or combination acting as a unit, and the plural as well as the singular number. (i) The word "producer" means any person engaging or continuing in the business of oil or gas production in Escambia County which, for the purpose of this act, includes the owning, controlling, managing, or leasing any oil or gas property or oil or gas well; and producing in any manner any oil or gas by taking it from the soil or waters, or from beneath the soil or waters of Escambia Co., and further includes receiving money or other valuable consideration as royalty or rental for oil or gas produced or because of oil or gas produced, whether produced by him or by some other person on his behalf, either by lease, contract, or otherwise, and whether the royalty consists of a portion of the oil or gas produced being run to his account or a payment in money or other valuable consideration.

Section 2. (a) In addition to the state privilege tax levied upon persons engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or waters of this state pursuant to Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20), there is hereby levied, and to be collected as hereinafter provided, annual privilege taxes upon every person engaging or continuing to engage within Escambia County, Alabama in the business of producing or severing oil or gas as defined herein, from the soil or the waters, or from beneath the soil or the waters of said county for sale, transport, storage, profit, or for use. The amount of such tax shall be measured at the rate of two percent of the gross value of said oil or gas at the point of production.

(b) The tax is hereby levied upon the basis of the entire production in Escambia County, including what is known as the royalty interest, on which production the amount of such tax shall be a lien, regardless of the place of sale or to whom sold, or by whom used, or the fact that the delivery may be made to points outside the state or county; and the

tax shall accrue at the time such oil or gas is severed from the soil or the waters, or from beneath the soil or waters of said county, and in its natural, unrefined or unmanufactured condition.

Section 3. (a) The privilege tax hereby imposed in Escambia County is levied upon the producers of such oil or gas in the proportion of their ownership at the time of severance, but, except as otherwise herein provided, the tax shall be paid by the person in charge of the production operations in said county who is hereby authorized, empowered, and required to deduct from any amount due to producers of such production at the time of severance, the proportionate amount of the tax herein levied before making payments to such producers. The tax shall become due and payable as provided by this act; and such tax shall constitute a first lien upon any of the oil or gas so produced when in the possession of the original producer or any purchaser of such oil or gas in its unmanufactured state of condition. In the event the person in charge of production operations fails to pay the tax, then the department shall proceed against the producer to collect the tax in the manner hereinafter provided by this act.

(b) When any person in charge of production operations shall sell the oil or gas produced by him, the purchaser shall account for the tax.

(c) When any person in charge of production operations shall use or dispose of the oil or gas for fuel or any other purpose, he shall withhold the tax imposed by this act; and, if he is required to pay other interest holders, he is hereby authorized, empowered, and required to deduct from any amounts due them the amount of tax levied and due under the provisions of this act before making payment to them.

(d) Every person in charge of production operations by which oil or gas is severed from the soil or waters, or from beneath the soil or waters, of said county who fails to deduct and withhold, as required herein, the amount of tax from sale or purchase price, when such oil or gas is sold or purchased under contract or agreement, or on the open market, or otherwise, shall be liable for the full amount of taxes, interest, and penalties due; and the department shall proceed to collect the tax from the person in charge of production operations, under the provisions of this act, as if he were the producer of the oil or gas.

Section 4. The state department of revenue is hereby authorized and directed to administer and enforce the provisions of this act and to collect all of the taxes levied under the provisions herein. To that end said department is authorized to promulgate and enforce all necessary rules and regulations to effectuate the purposes of this act. All such rules and regulations duly promulgated shall have the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue relating to assessments and the manner and time of payment of the tax levied by Act No. 2, H. 47, approved May 19, 1945 (General Acts 1945, p. 20), as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this act as fully as if set out herein.

Section 6. The department of revenue is hereby authorized to charge the county for collecting the special tax levied by this act whenever said department incurs costs therefore which are in addition to the costs for collecting the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945, as amended. The amount charged shall be such amount as the commissioner of revenue and the county governing body shall agree upon, but shall not exceed ten percent of the amount collected. Such charges, if any, for collecting the taxes for the county may be deducted each month from the proceeds of the taxes collected before certifying the amount thereof due the county for that month. The com-

missioner of revenue shall pay into the state treasury all county taxes collected under this act, as such taxes are received by the department of revenue. On or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Escambia County during the month immediately preceding the making of such certificate. Provided, that before certifying the amount of taxes paid into the state treasury for the benefit of the county during each month, the commissioner may deduct from the taxes collected in such month any charges due to the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the Escambia Co. School Funds in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county and city public schools. The custodian of the Escambia Co. School Funds shall distribute said funds so received as follows: The Escambia County Board of Education and the Brewton City Board of Education shall each receive its pro rata share of said moneys based upon its relative percentage of the combined net registration of said school systems during the preceding school year.

Section 7. Any party making or participating in a false return made under the provisions of this act or incorporated herein shall be guilty of perjury and upon conviction shall by punished in the manner prescribed by law.

Section 8. If it is brought to the attention of the department that any producer is guilty of violating any of the provisions of this act, the department is hereby authorized and required, through lawfully authorized counsel, to proceed in the courts of the State to obtain a writ of injunction, which writ shall be granted by the court when applied for in the manner prescribed by law. The department, however, is hereby relieved of the requirement to furnish bond of any character.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Morrissette, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, 1969, May 8, 1969, May 15, 1969, and May 22, all in the year 1969.

E. R. MORRISSETTE, JR.

Sworn to and subscribed before me May 23, 1969.

MOLLY A. NORRIS,
Notary Public.

My commission expires Jan. 19, 1971.

By Mr. Tuck:

H. 456. Declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting to be contraband; and providing for the condemnation and sale thereof for the benefit of the State game and fish fund.

Highway Safety.

By Mr. Williams:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Local Legislation No. 1.

By Mr. Cherner:

H. 458. To provide for safety inspection of bridges on public highways and streets; maintain written reports of safety inspections; posting of safe load limits for bridges; placing barricades for bridges under construction, under repair and condemned bridges; and maintaining a current inventory of all bridges on the State highway system.

Health.

By Mr. House:

H. 459. Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public building or construction contracts.

Ways and Means.

By Mr. House:

H. 460. To provide for and regulate procurement and production of evidence of circuit court records by subpoena duces tecum.

Ways and Means.

By Mr. House:

H. 461. To authorize local boards of education to fix and collect tuition fees and charges from pupils attending schools under the jurisdiction of such boards.

Ways and Means.

By Mr. House:

H. 462. To authorize local boards of education to fix and collect tuition fees and charges from pupils attending schools under the jurisdiction of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Ways and Means.

By Messrs. Ellis, Yeilding, Harris, Meeks, Weeks, Culver, Burgess, Shumate, Waggoner, Starnes, Haygood, Laxson, Owen (Baldwin), Downing, Brown, Melton, Owens (W), Hobbie, Brannan, Jackson (F), Foshee, Agee,Harper, Crane, Higginbotham, Collier, Young, Headley, Lemley, Fine, Robertson, Pennington, Manley, Tuck, Burgreen, Stubbs, Berryman (R), McDonald, Williams, Doss, Pruitt, Watkins, Money, Jackson (T), Gloor, Adwell, Gafford, Holman, Cherner, Bowers, Turnham, House, Wright, McCorquodale, Edington and Drake:

H. 463. Relating to disruptive activity on the campus or property of private or public schools, vocational or trade schools, and institutions of higher learning; and prescribing certain penalties for violations.

Education.

By Messrs. Ellis, Yeilding, Sessions, Dill, Harris, Meeks, Weeks, Culver, Burgess, Shumate, Starnes, Waggoner, Laxson, Owen (Baldwin), Downing, Melton, Owens (W), Hobbie, Jackson (F), Brannan, Foshee, Agee, Harper, Crane, Graham, Brassell, Higginbotham, Collier, Young, Headley, Lemley, Fine, Robertson, Cook (Jefferson), Manley, Tuck, Burgreen, Stubbs, Berryman (R), McDonald, Williams, Haygood, Pruitt, Watkins, Money, Jackson (T), Gloor, Adwell, Gafford, Holman, Cherner, Bowers, Turnham, Wright, McCorquodale, Edington and Drake:

H. 464. To prohibit the possession of firearms on the property of any private or public school, vocational or trade school or institution of higher learning without a permit from school authorities.

Education.

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner and Ellis:

H. 465. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

Local Legislation No. 2.

By Mr. Cherner:

H. 466. To amend Code of Alabama, Title 21, Section 14 in relation to trial of lunacy proceedings.

Judiciary.

By Messrs. Yeilding, Bowers, Holman, Ellis, Weeks, Gloor, Sessions, Meeks, Waggoner, Kilgore, Cherner and House:

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according to the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors there-

in; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Local Legislation No. 2.

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner, and Ellis:

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

Local Legislation No. 2.

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner and Ellis:

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or

such county separately, or with any department or agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

Local Legislation No. 2.

By Messrs. Cook (Jefferson), Dill, Sessions, Yeilding, Cherner, Gloor, Adwell, Jackson (T), Holman, Kilgore, Money, Bowers, Weeks, Gafford, Watkins, House, Waggoner and Ellis:

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

Local Legislation No. 2.

By Messrs. Dill, Adwell, Bowers, Jackson (T), Ellis, Holman, Weeks, Gloor, Sessions, House, Crane, Waggoner, Kilgore and Cherner:

H. 471. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Local Legislation No. 2.

By Messrs. Adwell, Dill, Bowers, Jackson (T), House, Gafford, Meeks, Sessions, Holman, Weeks, Waggoner and Crane:

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Local Legislation No. 2.

By Messrs. Cherner, Turnham, Laxson, Ellis, Headley and Gafford:

H. 473. To regulate the operation and conduct of nursery schools and kindergartens; to authorize and provide for the promulgations of standards, and rules and regulations governing such schools and kindergartens; to authorize the state building commission and the state board of health to cooperate with the state department of education in prescribing and enforcing certain regulations and standards relative to buildings, health and sanitary conditions; to prescribe penalties and to make appropriations for the purpose of effectuating the provisions of this act.

Ways and Means.

By Mr. Cherner:

H. 474. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Rules.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Gafford, Holman, Watkins, Weeks, Bowers, Jackson (T), Kilgore, Waggoner, House, Ellis, Crane, Adwell, and Dill:

H. 475. To amend further Act No. 452, H. 974, Regular Session 1955, an act providing for adoption of the mayor-council form of government in cities having populations of more than 300,000.

Local Legislation No. 2.

By Messrs. Adwell, Bowers, Jackson (T), Holman, Weeks, Sessions, Meeks, Gafford, Crane, Waggoner, Kilgore and Cherner:

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, Et Seq.), as amended, entitled: "AN ACT TO CREATE OR PROVIDE IN OR FOR EACH AND EVERY CITY OF THE STATE OF ALABAMA HAVING A POPULATION OF TWO HUNDRED AND FIFTY THOUSAND OR MORE INHABITANTS ACCORDING TO THE LAST OR ANY SUCCEEDING FEDERAL CENSUS A PENSION AND RELIEF OR RETIREMENT AND RELIEF SYSTEM FOR OFFICERS AND EMPLOYEES OF SUCH CITY AND THEIR WIDOWS AND CHILDREN; TO MAKE THE PROVISIONS OF SUCH SYSTEM RETROSPECTIVE AS WELL AS PROSPECTIVE; AND, SUBORDINATELY, TO DEFINE OFFICERS AND EMPLOYEES OF THE BOARD OF HEALTH OF ANY COUNTY IN WHICH ANY SUCH CITY MAY BE LOCATED AS OFFICERS AND EMPLOYEES OF SUCH CITY FOR THE PURPOSE OF RETROSPECTIVE AND PROSPECTIVE APPLICATION OF THE TERMS OR PROVISIONS OF SUCH SYSTEM".

Local Legislation No. 2.

By Messrs. Cook (Jefferson), House, Collins (W), Grainger, Waggoner and Cook (Coffee):

H. 477. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 478. To provide for the protection of state peace officers for injuries, death or property damage, resulting from actions taken to disperse a mob, rout or riot.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 479. To provide for the issuing of tags for motor vehicles owned by the State of Alabama, and operated by merit system employees of the state whose classification is that of a peace officer, and to restrict the use of such tags to state peace officers regularly engaged in investigative endeavors and to provide a penalty for fraudulent use.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 480. To prohibit any person falsely personating a law enforcement or peace officer and to provide penalties therefor.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 481. To repeal Section 67 (1) of Title 36 of the Code of Alabama, 1940, as amended, which extends the period of validity of drivers' license for veterans of World War II.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 482. To regulate the sale, transfer, possession, or use of chemical weapons, tear gas, nauseating gas, nerve gas, irritant gasses, and other devices of like kind or intent and propelling devices therefor; to provide a penalty therefor, and to further provide for forfeiture and destruction of such devices.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 483. To repeal Section 5 (4) of Title 36, Code of Alabama (1940) as amended, which requires endorsement of speeding convictions on driver licenses.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 484. To amend Section 2, of Act 822, Acts of 1951, Regular Session, page 1454, approved September 11, 1951, all of which section relates to the liability of the owner of livestock taken up while running at large upon State and Federal Aid highways which have been officially designated as such regularly and customarily patrolled by the State Highway Patrol, or upon the right of ways of such highways.

Agriculture.

By Messrs. Cook (Jefferson) and Ellis:

H. 485. To provide that unlicensed resident drivers to be subject to the same pains and penalties as licensed resident drivers convicted of certain traffic offenses.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 486. To levy an additional fee upon applicants for driver license after such applicant's former license or privilege has been revoked.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 487. To provide for the payment of an examination fee by every applicant for a driver license, to fix the amount of such fee and to provide for depositing of funds received therefrom, and to provide for a bond for certain highway patrolmen.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 488. To revise and amend Act No. 379, H. 4, 1947 Regular Session, page 271, all of which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs, or who are intoxicated.

Highway Safety.

By Messrs. Cook (Jefferson) and Ellis:

H. 489. To revise and amend Section 35 of Title 36 of the Code of Alabama (1940) relating to the brakes of motor vehicles.

Transportation.

By Messrs. Cook (Jefferson) and Ellis:

H. 490. To revise and amend Section 128 of Title 36 of the Code of Alabama, 1940, relating to the duties of the driver of a vehicle involved in an accident resulting in personal injury or death or damage to vehicle.

Transportation.

By Mr. Cook (Jefferson):

H. 491. To revise and amend Section 120 (1) of Title 14 of the 1940 Code of Alabama as amended which pertains to being intoxicated, upon the highways.

Highway Safety.

By Mr. Cook (Jefferson):

H. 492. To amend Act 171, 1967 Special Session, to require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

Transportation.

By Mr. Cook (Jefferson):

H. 493. To amend all of Section 70 of Title 36 of the 1940 Code of Alabama as amended, all of which refers to the penalty for violation by persons whose license or driving privilege has been cancelled, suspended or revoked.

Transportation.

By Mr. Cook (Jefferson):

H. 494. To revise and amend Section 388 of Title 13 of the Code of Alabama, all of which relates to the giving of bond by a justice of the peace before entering upon the duties of his office.

Transportation.

By Mr. Cook (Jefferson):

H. 495. Regulating stopping of vehicles on the highways, and providing for the removal of abandoned or unattended vehicles or other property.

Transportation.

By Mr. Cook (Jefferson):

H. 496. To amend further Chapter 1 of Title 36, Code of Alabama (1940), so as to require drivers of vehicles to yield the right-of-way to other traffic under certain conditions.

Transportation.

By Mr. Cook (Jefferson):

H. 497. To amend Section 7 of Act No. 516, Regular Session, 1949, approved August 30, 1949 (Acts of Alabama, Regular Session, 1949, Page 741), to regulate further the use of the highways of the State.

Transportation.

By Mr. Cook (Jefferson):

H. 498. To revise and amend Section 428 of Title 13, Code of Alabama (1940), which relates to appeal to Circuit Court from justice of the peace.

Transportation.

By Mr. Cook (Jefferson):

H. 499. To amend Section 100 and Section 104 of Title 15, Code of Alabama, 1940, as amended, both of which relate to search warrants.

Judiciary.

By Messrs. Owen (Baldwin) and Hardin:

H. 500. To amend further Code of Alabama Title 51, Section 647 in relation to the rates of excise taxes levied on gasoline and aviation fuel.

Conservation.

By Messrs. Hill and Haygood:

H. 501. To amend Code of Alabama 1940, Title 30, Section 5 relating to persons exempt from jury service, providing for the rescheduling of time of service in certain cases.

Judiciary.

By Messrs. Hill and Haygood:

H. 502. Relating to the Eleventh Judicial Circuit of Alabama; authorizing the judges of such circuit to reschedule the time of service of certain persons excused from jury duty.

Judiciary.

By Messrs. Hill and Haygood:

H. 503. To repeal Section 107 of Title 15, and Section 220 of Title 29, Code of Alabama 1940, both of which relate to the time of executing search warrants.

Judiciary.

INTERIM OIL AND GAS STUDY COMMITTEE REPORT FILED

Mr. Owen (Baldwin) filed the following Committee report:

THE REPORT AND RECOMMENDATIONS OF THE INTERIM OIL AND GAS STUDY COMMITTEE TO THE GOVERNOR AND LEGISLATURE OF THE STATE OF ALABAMA

January 16, 1969

His Excellency, Governor Albert P. Brewer
and the Joint Members of the Legislature
of Alabama

Senate Joint Resolution 35 of the 1967 regular session of the Legislature created this committee and charged it with the duty of making a comprehensive survey and study of the oil and gas laws of this State, the rules and regulations of the State Oil and Gas Board governing the production of oil and gas in Alabama and the laws relating to the taxation of oil and gas and the oil and gas industry.

The committee met with land and mineral owners, the State Oil and Gas Board and its staff, and with members of the oil and gas industry. The Alabama Legislature has always been responsive to the problems presented in the development of the oil and gas resources of the State and in its work the committee has attempted to carry on this tradition.

To authorize the most modern production methods and conservation practices and at the same time protect the land and mineral owners of Alabama the committee found that certain changes should be made in the oil and gas law and this report represents the findings and the recommendations of the committee.

Respectfully submitted,

Representative L. D. (Dick) Owen, Jr., Chairman
Senator Pierre Pelham
Senator W. H. (Pat) Lindsey, III
Representative Frank Jackson

INTRODUCTION

A study of the development of Alabama's present oil and gas laws shows a continuing responsiveness to the needs of the industry and the people of this State. The development of the present law has kept pace with the progress of the industry. Your committee compared the Alabama law with the laws of other oil and gas producing States, the rules and regulations promulgated by such other States, and the model statutes proposed by the Interstate Oil Compact Commission, of which the State of Alabama is a member.

The committee is of the opinion that basically the laws of Alabama are very good and, with a few amendments, will be as modern and comprehensive as those of any State and will effectuate the purposes for which the committee was created as set out in Joint Resolution 35 of the 1967 regular session of the Legislature.

"The purpose of this study shall be to determine whether present laws of this State encourage the fullest recovery and most advantageous utilization possible of the oil and gas resources of the State, while at the same time safeguarding the interests of all parties having rightful claims to such oil and gas and encouraging the further development and improvement of the oil and gas industry in this State; and if not, what changes are needed in Alabama laws to accomplish such ends."

BACKGROUND

Alabama's present oil and gas laws were carefully developed to meet the problems presented by the exploration for and production of oil and gas in this State. The search for oil and gas in Alabama began in 1865. A special report on petroleum for the 10th United States census states that Jonathan Watson, Esquire, drilled wells in Lawrence County, Alabama, in 1865 and discovered oil in two of them. The amount of oil produced is not known. Prior to the turn of the century many wells were drilled and although oil and gas shows were frequently encountered, no commercial discoveries were made.

In 1909 a diamond drill hole in Fayette County was drilled to a depth of 475 feet in a search for coal. Two formations were encountered with encouraging shows of oil. A company was formed to explore for oil and gas and two deep tests were drilled nearby. The first test, drilled to a depth of 1400 feet, was completed as a gas well which produced 1.6 million cubic feet of gas daily. The second deep test revealed only slight shows of oil and gas. In March 1910 a well was completed which produced at an estimated rate of 4.5 million cubic feet of gas per day. A well drilled in April 1910 produced from 2 to 3 million cubic feet a day.

In 1911 the best of all the Fayette County wells was brought in with an estimated production of 6 million cubic feet of gas a day. The well was not properly completed and the reservoir was destroyed by water that had not been shut off. The gas produced in Fayette County was flagrantly wasted. The dry holes were not properly plugged upon abandonment and were left in a dangerous condition.

In 1911 the Legislature responded by enacting Alabama's first oil and gas law. Act No. 409 provided that all gas wells should be shut in until the gas could be utilized for light, fuel or other purposes and made it unlawful to allow leaks to continue, to waste gas, or to burn gas for any propose other than light, fuel or power. It prohibited "flambeau" lights.

To prevent the ruin of reservoirs that might be discovered in the future, the law required the proper casing of all wells. Dry holes and abandoned wells were required to be plugged according to a detailed procedure set out in the act. A procedure was established whereby landowners or any person aggrieved by the failure of a driller to comply with the terms of the act could require compliance therewith. The Governor was authorized to employ someone to assist in carrying out the provisions of the act.

In the spring of 1912 Governor O'Neil appointed Dr. Stewart J. Lloyd to the office of Supervisor and charged him with the duty of seeing that the terms of the act were enforced. Dr. Lloyd was paid a salary of $25 a month and reimbursed for his expenses. Governor Henderson abolished the office in 1915. Apparently there was no attempt made to enforce the 1911 Act after the office of Supervisor was abolished.

Many wells were being drilled throughout the State in search of oil and gas, but still without success. A comprehensive conservation

measure was introduced in the 1935 session of the Legislature but did not pass. The discoveries in Mississippi in 1939 spurred the Legislature into again considering the oil and gas laws of Alabama. Act No. 645, 1939 General Acts of Alabama, created an Oil and Gas Board composed of the Governor, Attorney General and Director of Conservation. The State Geologist was made ex-officio State Oil and Gas Supervisor and charged with the duty of enforcing the provisions of the act and all rules and regulations promulgated by the Board.

Waste was specifically prohibited. Waste was defined as meaning in addition to its ordinary meaning, underground waste and the inefficient excessive or improper use or dissipation of reservoir energy, including gas energy and water drive of any pool, and the locating, spacing, drilling, equipping, operating or producing of any oil well or gas well in a manner which results or tends to result in reducing the quantity of oil and gas ultimately recoverable from any pool.

The Board was given authority to regulate production only after the total average daily production of the State exceeded 50,000 barrels per day for a period of 90 consecutive days. The act required obtaining a permit before the drilling of any oil or gas well and the filing of drilling logs with the Oil and Gas Supervisor.

The 1943 session of the Legislature established interim study committees to make recommendations to the 1945 session of the Legislature. On February 17, 1944, Alabama became an oil producing State with the discovery of the first well in the Gilbertown Field, located in the central part of Choctaw County. 350 wells had been drilled in the State prior to 1944 without commercial success. Governor Sparks requested the interim committee created to study agriculture and industries to make a detailed study of Alabama's oil and gas laws and to determine whether they were adequate in light of the Gilbertown production. The committee immediately held hearings and conferred with the officials of State regulatory agencies, landowners and representatives of the oil and gas industry.

The committee's recommendations were embodied in Act No. 1 of the 1945 General Acts of Alabama, which created a State Oil and Gas Board composed of three members, appointed by the Governor with staggered terms of six years, with the State Geologist being ex-officio State Oil and Gas Supervisor. The Board was given authority to regulate the casing, drilling and plugging of wells, require the filing of drilling logs, require reasonable bond to insure proper performance of the drilling regulations, prevent wells from being drilled or operated that drilling regulations, prevent wells from being drilled or operated that might cause injury to neighboring property, prevent the destruction of any oil or gas reservoir, require operation of wells with efficient gas-oil ratios and to fix said ratios, regulate the shooting, perforating and chemical treatment of wells, regulate secondary recovery methods including the introduction of gas, air, water or other substance into producing formations, regulate the spacing of wells and to establish drilling units, limit and prorate the production of oil or gas within any pool or field for the prevention of waste, and prevent as far as practical, reasonably avoidably drainage from each developed unit which is not equalized by counterdrainage. The authority of the Oil and Gas Board to regulate drilling units was limited to the fixing of drilling units of 40 acres or less.

The South Carlton Field in Clarke County was discovered in 1950 and the Pollard Field in Escambia County in 1952. An interim committee created by the special session of the Legislature in January 1951 to investigate the oil and gas laws of Alabama found that there was no need for changes in the conservation laws.

On August 16, 1955, the discovery well of the Citronelle Field was completed at a depth of 11,000 feet. Since that time 412 oil wells have been completed in the field. Oil development at Citronelle presented many new problems. Prior to 1955 only 10 wells in Alabama had been drilled to a depth of below 10,000 feet. All producing wells at Citronelle are below that depth and cost between $200,000 and $300,000. The oil producing sands are not uniform in thickness and have a low porosity and permeability. Bottomhole pressures in all wells dropped rapidly and it became obvious that secondary recovery operations would have to be instituted to obtain the greatest recovery of oil.

In 1955 the Legislature again recognized that it was time to re-evaluate Alabama's oil and gas laws and created an interim oil and gas study committee. After an exhaustive study the committee recommended many changes in the Alabama oil and gas law. Act No. 352, 1957 General Acts of Alabama, embodied most of the recommendations of the recess committee. The Board was given authority to establish field-wide unit operations permitting secondary recovery operations. The limitation on 40-acre spacing was removed as to pools not then producing oil or gas and located below a depth of 9,990 feet. In April 1961 the Board approved the unitization of a 139-tract unit at Citronelle. Unit operations began on June 1, 1961 and water injection was started in August of that year. The declining pressure and production have been reversed and the secondary recovery program has breathed new life into oil production at Citronelle. The increased recovery was made possible by the application of modern petroleum engineering techniques and sound oil and gas legislation.

Three amendments were made to the oil and gas laws at the second special session of the 1965 Legislature. Act No. 79 provided that an emergency rule, regulation or order would be effective 45 days instead of 15 days. Act No. 80 defined "royalty owner" to include "overriding royalty owners" wherever the words "royalty owners" appeared. Act No. 81 changed the time limit for appeals from ninety (90) days to thirty (30) days.

RECOMMENDATIONS

For the future the committee found that certain changes should be made. The limitation relative to 40-acre spacing as to wells below 10,000 feet is no longer workable and the Oil and Gas Board should be authorized to fix drilling units on the basis of what one well will drain. The pooling authority granted to the Board applies only where the ownership is divided among separate tracts and does not cover the situation where there are undivided interests in a drilling unit. The law should be amended to give the Board authority to pool undivided interests as well as the right to pool separately owned tracts in a drilling unit.

At present the Board cannot authorize the commingling of separate strata for production purposes but must require each zone to be separately completed. Many thin sands are not produced because of this requirement. Where it would be uneconomical to do otherwise, the Board should be given authority to permit downhole commingling of production from thin sands.

Fieldwide unitization had the effect of literally resurrecting the production of the Citronelle Field. The act is comprehensive and workable. The only change needed is in the procedure for enlarging a previously established fieldwide unit. Where more than one pool or an addition to a pool or portion thereof is added to an existing fieldwide unit, the Board is required to make a finding as to the contribution of each pool. In practice this is an unneeded and unworkable requirement. The Board should have to determine only the total contribution of all the pools or portions thereof which are added to the existing unit.

When the Alabama oil and gas conservation laws were compared with laws of other States and the model statute prepared by the Interstate Oil Compact Commission, the committee found that the terminology of many of the sections could be improved. A comprehensive study of the rules and regulations promulgated by the Oil and Gas Board pursuant to existing law was made. The members of the Oil and Gas Board and its staff were most cooperative. Industry representatives met with the Board and its staff and the members of this committee. Out of the discussions came suggested changes already authorized by existing law which were promptly put into effect by the Board.

A comparsion of the taxation of the production of oil and gas and related minerals was made with other oil and gas producing States and it was found that Alabama has severance and other taxes as high or higher than all of the other oil producing States. The committee is of the opinion that no increases are justified or warranted at this time. Because of the relatively small amount of production in the State, an increase would not produce a significant amount of revenue and could have the very detrimental effect of decreasing exploration for oil and gas in the State.

In the appendix hereto are proposed amendments to Sections 179 (24), 179 (25), 179 (27), 179 (32), 179 (35), 179 (36) and 179 (74) of Title 26 of the Alabama Code which will effectuate the changes recommended above. The committee is of the opinion that passage of the proposed legislation will permit the industry to use the most modern technological methods and at the same time safeguard the oil and gas resources of this State and protect the rights of its citizens therein.

Respectfully submitted,

L. D. Owen, Jr.
Frank Jackson
W. H. Lindsey, III

RESOLUTION

The following resolution was introduced:

By Messrs. Hain, Blanton and Owens (W):

H. J. R. 24. WHEREAS, Judge James A. Hare of Selma, Alabama, died Tuesday, May 20th, at 3:15 A.M., after a long illness, and

WHEREAS, Judge James A. Hare was born in Massilon, Dallas County, Alabama, May 17, 1906, the son of James Albert and Betty Kendrick Hare, whose forebearers were among the early settlers of Dallas and Wilcox Counties, and

WHEREAS, James A. Hare was a graduate of Marion Institute and of the Law School of the University of Alabama; a member of the State House of Representatives from Dallas County from 1934 to 1942; of the Alabama Code Committee of 1940; and Assistant Attorney General from 1940 to 1942; volunteered for service in the United States Air Force as a Lieutenant in 1942, and served with distinction in its Judge Advocate General's Department, principally in the China, Burma, India theater until discharged as a Lieutenant Colonel in 1946, and

WHEREAS, James A. Hare was appointed Solicitor, now known as District Attorney, of the Fourth Judicial Circuit in 1946 by Governor Chauncey Sparks; elected in 1948 and re-elected in 1954; and was President of the Alabama Association of Circuit Solicitors in 1950; appointed Judge of the Fourth Judicial Circuit in 1954 by Governor Gordon Persons, elected in 1958 and re-elected in 1964; and served as President of the Alabama Association of Circuit Judges in 1965-1966; and

WHEREAS, Judge James A. Hare was a strong believer in States Rights, who as a judge dealt even handed justice promptly and firmly to one and all alike, refusing at all times to permit his court to be abused or the laws of our state flaunted, and opposed violence in all forms, and

WHEREAS, James A. Hare was active in all phases of civic endeavor and in partial recognition thereof was elected to the Board of Trustees of Marion Institute in 1956 and as Director of the John Tyler Morgan Academy at its inception in June, 1965, serving as such until his death; was largely responsible for the creation of the Sturdivant Museum Foundation and served as its President in 1958, 1959 and 1960; was recipient of the "Book of Golden Deeds" award of the Selma Exchange Club presented December 12, 1968, in recognition of his outstanding service as Jurist, educator, and a leader in cultural and civic affairs of our community and State; and

WHEREAS, Judge James A. Hare was an outstanding citizen, a scholar deeply interested in all phases of knowledge and scholarly endeavors, who filled a position of respect and leadership that cannot be duplicated.

NOW THEREFORE BE IT RESOLVED by the Legislature, both Houses concurring, that due note of the death of the Honorable James A. Hare be made, and the Legislature does hereby express to the members of his family their great bereavement at this time and extend to them their full sympathy.

BE IT FURTHER RESOLVED that the Legislature does hereby take due note that the State of Alabama has truly lost one of its first citizens in the death of the Honorable James A. Hare.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the Journals of this body and copies forwarded to the members of the family.

On motion of Mr. Hain, the rules were suspended and H. J. R. 24 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Shumate to adjourn until 10 o'clock A.M., Thursday, May 29, 1969, was lost.

Yeas 22; Nays 50.

Nays:

Mr. Speaker	Drake	Higginbotham	Paulk
Beck	Gafford	McElhaney	Perloff
Brown	Garrett	Meade	Shumate
Crane	Graham	Melton	Starnes
Doss	Hain	Neville	Steagall
Downing	Haygood		—22

Nays:

Messrs.:	Collier	Grainger	Manley
Adwell	Collins (W)	Hobbie	Marr
Bassett	Cook (Jefferson)	Holladay	Mays
Berryman (R)	Culver	Holman	McDonald
Berryman (W)	Dill	Jackson (F)	McLain
Brannan	Edington	Kilgore	Merrill
Burgreen	Ellis	Laxson	Money
Cameron	Foshee	Lemley	Nettles
Cherner	Gloor	Lyons	Owen (Baldwin)

Owens (W.E.)	Smith	Turnham	Wright	
Pennington	Springer	Waggoner	Yeilding	
Robertson	Stembridge	Williams	Young	
Sessions	Stubbs	Wood		—50

ADJOURNMENT

On motion of Mr. Meade, the House adjourned until 10 o'clock A.M., Thursday, May 29, 1969.

SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, May 29, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Bill Coleman, Pastor, Southlawn Baptist Church, Mobile Highway, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W.E.)	
Adwell	Doss	Jackson (T)	Paulk	
Agee	Downing	Kilgore	Pearson	
Bank	Drake	Laxson	Pennington	
Bassett	Edington	Lemley	Perloff	
Beck	Ellis	Lybrand	Pruitt	
Berryman (R)	Fine	Lyons	Robertson	
Berryman (W)	Foshee	Malone	Sessions	
Blanton	Gafford	Manley	Shumate	
Bowers	Garrett	Marr	Smith	
Brannan	Gloor	Mathews	Snell	
Brassell	Graham	Mays	Springer	
Brown	Grainger	McCorquodale	Starnes	
Burgess	Grayson	McDonald	Steagall	
Burgreen	Hain	McElhaney	Stembridge	
Cameron	Harper	McLain	Stubbs	
Cherner	Harris	Meade	Turnham	
Collier	Haygood	Meeks	Waggoner	
Collins (C)	Headley	Melton	Watkins	
Collins (W)	Higginbotham	Merrill	Weeks	
Cook (Coffee)	Hill	Money	Williams	
Cook (Jefferson)	Hobbie	Nettles	Wood	
Crawford	Holladay	Neville	Wright	
Culver	Holman	Owen (Baldwin)	Yeilding	
Dill	House	Owens (W)	Young	

—100

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Culver, leave of absence was granted to Mr. Tuck because of personal illness.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 163. To further provide for supernumerary district attorneys.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 69. To authorize and provide that Clerks of Circuit Courts in all Counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census, may select, designate and appoint one of his present assistants to be and serve as Assistant Chief Clerk of the Criminal Division of Circuit Court, and one of his present assistants to be and serve as Assistant Chief Clerk of the Civil Division of Circuit Court.

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

H. 242. To provide for the compensation of jurors in Cullman County.

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

H. 244. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 417 (with amendment). Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,300 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 431. Relating to counties having a population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

H. 434. Relating to counties having a population of not less than 76,000 nor more than 96,000 according to the last or any subsequent federal decennial census: regulating newspaper publication of lists of registered electors in such counties.

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

H. 455. To levy in Escambia County a county privilege tax upon every person engaging in the business of producing or severing oil or

gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 465. To authorize any public building corporation heretofore or or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according to the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained,

served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subseuent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or

such county separately, or with any department or agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 Et Seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

H. 471. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

H. 475. To amend further Act No. 452, H. 974, Regular Session 1955, an act providing for adoption of the mayor-council form of government in cities having populations of more than 300,000.

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, Et Seq.), as amended, entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system".

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

S. 53. (with substitute). To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 5. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

H. 20. Relating to fees of witnesses in criminal cases; amending Code 1940, Title II, Section 103.

H. 44. To amend Sections 1, 6, and 9 of Act 217, Senate 23, page 259, Volume I, Acts of Alabama, 1967, enacted at the 1967 Special Session of the Legislature of Alabama, as amended, relating to competitive bidding in the expenditure of public funds.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 89. (with substitute with amendment). Regulating the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 110. To amend Section 3 of Act No. 856, S. 242, Regular Session 1961, entitled "An Act to suppress traffic in obscene publications, defining terms, prescribing penalties, and providing enforcement procedures against residents or nonresidents."

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 111. (with substitute). To prohibit the sale or delivery of certain harmful materials to minors; to define certain terms, to provide that it shall be unlawful to exhibit to minors certain prohibited practices;

to provide that it shall be unlawful for minors to falsely represent their age to gain access to prohibited practices; to provide for procedures for the commencement of enforcement and for application for the declaratory judgement; to provide that it shall be unlawful for any person to make false representation that he is the parent or guardian of minor for the purpose of gaining minor access to prohibited practices; to place certain limitations upon the prosecution of persons accused of violating this act; to provide for exceptions; to provide for penalties; to provide the procedures connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 145. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama, which Act relates to Boards of Water and Sewer Commissioners.

H. 189. To abolish the office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a deputy director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 432 (with substitute). To amend Act No. 833, S. 128, Regular Session 1965, which creates the State Employees Insurance Board and authorizes such board to provide a health insurance plan for employees of the State: amending Section 1 of such Act so as to include members of the Legislature within the definition of the term "employee."

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 120. Relating to crimes and offenses: to prohibit certain trespass upon the property of institutions of higher education and to prohibit any interference with the peaceful conduct of the business of such institutions.

H. 142. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to increase the rate of interest that may be borne by bonds of a gas district organized under the said Act.

H. 23. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

H. 430. To make it unlawful to impersonate a police officer.

H. 370. To amend further Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to change the time for claiming the right to appointment as a testamentary guardian.

H. 375. To amend further Code of Alabama 1940, Title 55, Section 305, which relates to the establishment of employment registers under the merit system law for the various classes of positions in the classified service of the State of Alabama, in order to extend the veterans preference therein provided to persons who served honorably in the armed forces of the United States at any time during the period from January 31, 1955, through December 31, 1963, and under certain conditions to the wives and widows of persons who served honorably during this period.

H. 332. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

H. 309. To further amend Section 18 of Title 61 of the 1958 Recompiled Code of Alabama which relates to the right of a widow to dissent from the will of her deceased husband.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 236 (with amendment). To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumery circuit judges.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 17. Relating to wildlife retained in captivity for exhibition purposes by private interests; requiring the Director of Conservation to promulgate rules for sanitary and humane treatment of such wildlife, providing for enforcement of such rules, and providing penalties for violations thereof.

H. 427. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this State.

H. 428. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

H. 500. To amend further Code of Alabama Title 51, Section 647 in relation to the rates of excise taxes levied on gasoline and aviation fuel.

LEAVE OF ABSENCE

On motion of Mr. Watkins, leave of absence was granted to Mr. Crane due to personal school business.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Nettles, Collins (C), Lyons, Downing, Edington, Marr, Wood, Grayson and Collins (W):

H. J. R. 25. WHEREAS Robert Joseph Protivinsky of Dauphin Island, at the risk of his own life, daringly rescued five persons who were being swept out to sea by a squall off the island; and

WHEREAS Robert Joseph Protivinsky, eighteen years of age and a graduating senior at Alba High School, exemplifies the outstanding character, determination and bravery still found in the youth of today; and

WHEREAS Robert Joseph Protivinsky showed nimbleness of mind as well as that of body by thinking fast and moving fast, and fortunately for those concerned, was ingenious and resourceful in the manner of the rescue; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we commend Robert Joseph Protivinsky for his gallantry, courage and keenness of mind, and express our pride that one of our youth has shown himself to have those qualities in abundance and stands as an example to the young people of this nation and this state.

BE IT RESOLVED FURTHER, That an enrolled copy of this resolution be sent to Robert Joseph Protivinsky and to the principal of Alba High School.

On motion of Mr. Nettles, the rules were suspended and H. J. R. 25 was adopted.

Also:

By Messrs. Graham and Lyons:

H. J. R. 26. WHEREAS the Honorable Lister Hill, who has represented Alabama with such distinction for so many years, has retired and returned to Alabama; and

WHEREAS the unusually long list of honors, citations and recognitions accorded the Honorable Lister Hill by great universities, institutions and organizations of national and world-wide importance are proof of his greatness; and

WHEREAS Alabama is justly proud of this statesman whose many accomplishments mark the dedication, integrity and independence which are his outstanding characteristics; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an invitation is hereby cordially extended to the Honorable Lister Hill to speak to a joint meeting of the two Houses in June, 1969, on a day and hour to be determined by Senator Hill, the Speaker of the House, and the President of the Senate.

On motion of Mr. Graham, the rules were suspended and H. J. R. 26 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 12. BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Thursday, May 29th; and when the two Houses adjourn on May 29th that they adjourn to meet again on Tuesday, June 3rd; and when the two houses adjourn on June 3rd they adjourn to meet again on Wesdnesday, June 4th; and when the two Houses adjourn on June 4th they adjourn to meet again on Tuesday, June 10th.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 12 set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Turnham, Fite, Agee, Bank, Bassett, Berryman (R), Bowers, Brannan, Brassell, Burgess, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crawford, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Harper, Harris, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, McCorquodale, McDonald, McElhaney, McLain, Meeks, Melton, Merrill, Money, Nettles, Neville, Owens (W), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Waggoner, Watkins, Weeks, Williams, Wood, Yeilding, Young, Culver, and Smith:

H. J. R. 27. WHEREAS the successful launching, flight, and recovery of Apollo 10 has firmly established the leadership of the United States in the international competition for the conquest of space; and

WHEREAS this achievement has provided necessary experience and information which places this country on the threshold of a Lunar Landing; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this Legislature hereby commends Colonel Thomas P. Stafford, Commander John W. Young and Commander Eugene A. Cernan for their bravery, dedication and skill in successfully completing a dangerous and difficult mission, and we also commend and express our appreciation to Dr. Thomas O. Paine, administrator of the National Aeronautics and Space Administration, for the outstanding contribution his crews and staff have made to the credit and international prestige of the people of the United States; now therefore

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Dr. Paine, Colonel Stafford, Commander Young and Commander Cernan.

On motion of Mr. Turnham, the rules were suspended and H. J. R. 27 was adopted.

Also:

By Messrs. Grainger, Fite, Agee, Bank, Bassett, Berryman (R), Blanton, Bowers, Brannan, Brassell, Brown, Burgess, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grayson, Hain, Harper, Harris, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meeks, Merrill, Money, Nettles, Neville, Owen (Baldwin), Owens (W), Paulk, Pearson, Pennington, Pruitt, Robertson, Sessions, Shumate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wright, Yeilding, and Young:

H. J. R. 28. WHEREAS The Honorable John David Snodgrass, Judge of the Twenty-Third Judicial Circuit and former member of this body, has recently received the 1969 Good Government Award of the Huntsville Junior Chamber of Commerce; and

WHEREAS Judge Snodgrass justly deserves this recognition. His ability, diligence and devotion to the court have inspired the members of bench and bar. He is usually the first official in the courthouse at his desk in the morning, and is often the only official in the courthouse working at night. He is a living example of the maxim that there is no substitute for hard work; and

WHEREAS at thirty one years of age, Judge Snodgrass is the youngest circuit court judge in the state. His performance as a judge has proved that age is no requirement for competence on the bench. He displays a knowledge of the law and a judicial temperament surpassed by few of his older colleagues; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we salute Judge Snodgrass for his attainment and warmly commend him for his achievements and receipt of this great honor.

On motion of Mr. Grainger, the rules were suspended and H. J. R. 28 was adopted.

UNANIMOUS CONSENT GRANTED

On motion of Mr. Burgess, unanimous consent was granted to add his name as co-sponsor to the bill, H. 410.

RESOLUTION

The following resolution was introduced:

By Messrs. Ellis, Bowers, Meeks, Waggoner, Holman, Kilgore, Weeks, Cook (Jefferson), Watkins, House, Jackson (T), Money, Sessions, Dill, Cherner, Gafford and Gloor:

H. J. R. 29. WHEREAS Newman M. Yielding, affectionately known throughout the state as "Red" will receive the honorary degree of Doctor of Laws from Birmingham Southern College, a school which he has served faithfully for many years, on Saturday, May 31, 1969; and

WHEREAS Newman "Red" Yielding has established himself as one of the south's leading college administrators, successfully guiding and

directing the financial and educational affairs of Birmingham Southern College during an era in which it became one of the leading Liberal Arts Colleges in the Southeast; and

WHEREAS Newman "Red" Yielding has, during his distinguished career in the field of education, and during his term as acting President of Birmingham Southern College earned the admiration and respect of educators throughout the entire United States; and

WHEREAS the dedication and devotion of Mr. Yielding and his family to the religious and civic affairs of their community has long been a matter of great pride among those who have known and witnessed their unceasing efforts in this regard, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the members of this body are privileged to pay tribute to our colleague Newman "Red" Yielding on the occasion of his receiving this most outstanding and well deserved degree.

BE IT RESOLVED FURTHER, That an enrolled copy of this resolution be sent to the President of Birmingham Southern

On motion of Mr. Ellis, the rules were suspended and H. J. R. 29 was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Berryman (R) (with notice and proof):

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

Local Legislation No. 1.

Notice and Proof H. 504:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 119, H. 24 of the Special Session of 1967 (Acts of 1967, p. 166) is hereby amended to read as follows:

"Section 2. Lawrence County is hereby divided into four commissioners' districts for the purpose of electing members of the court of county commissioners, as follows:

"The northeast district of the county shall be that portion of Lawrence County lying east of the line between Ranges 7 and 8 and north of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"The northwest district of the county shall be that portion of Lawrence County lying west of the line between Ranges 7 and 8 and north of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"The southeast district of the county shall be that portion of Lawrence County lying east of the line between Ranges 7 and 8 and south of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"The southwest district of the county shall be that portion of Lawrence County lying west of the line between Ranges 7 and 8 and south of the section lines which are parallel to and, approximately, one (1) mile south of the line between Townships 5 and 6.

"A county commissioner shall be nominated and elected for each district by the qualified electors of the county at large. Commissioners for the northeast and northwest districts shall be elected at the general election to be held in November, 1968, and every four years thereafter; commissioners for the southeast and the southwest districts shall be elected at the general election to be held in November, 1970, and every four years thereafter. Each commissioner shall be a resident and qualified elector of the district for which he is elected, and shall continue to reside therein during his continuance in office."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner, publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 26, 1969.

LE RUTH G. SLATON,
Notary Public.

By Mr. Berryman (R) (with notice and proof):

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Local Legislation No. 1.

Notice and Proof H. 505:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) is hereby amended to read as follows:

Section 1. The coroner of Lawrence County shall receive as his compensation and for other expenses and ex officio services the sum of $75.00 a month. Such compensation shall be paid in equal monthly installments out of the general fund of the county upon warrants issued by the governing body of said county.

Section 2. This act shall become effective upon the expiration of the term of office of the incumbent coroner of Lawrence County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner, publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 26, 1969.

LE RUTH G. SLATON,
Notary Public.

By Mr. Berryman (R) (with notice and proof):

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Local Legislation No. 1.

Notice and Proof H. 506:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Be It Enacted by the Legislature of Alabama:

Section 1. The coroner of Lawrence County is hereby authorized to appoint an assistant coroner. The assistant coroner shall serve at the pleasure of and be responsible to the coroner and shall have the same powers as the coroner. He shall not be entitled to compensation from the county.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was owner, publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice haivng appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 26, 1969.

LE RUTH G. SLATON,
Notary Public.

By Mr. Berryman (R):

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

Local Legislation No. 1.

By Mr. Berryman (R):

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Local Legislation No. 1.

By Mr. Berryman (R):

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Berryman (R), Holman, Laxson, Agee, McDonald, Grainger, Shumate, Williams, Dobbs, Smith, Garrett and Berryman (W):

H. 510. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

Agriculture.

By Messrs. Berryman (R), Grainger and McDonald:

H. 511. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

Agriculture.

By Messrs. Turnham, Higginbotham and Brassell:

H. 512. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Lee County exclusive of Auburn and Opelika.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Ellis, Smith, Lybrand, Hain and Pearson:

H. 513. Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

Ways and Means.

By Messrs. Pennington, Foshee, Jackson (F), Turnham, Steagall, Meade, Grainger, Crawford, Headley, Owen (Baldwin), Brannan, Brassell, Snell, Higginbotham, Harper, Holladay, Hain, Laxson, Williams, McLain, Kilgore, Weeks, Pruitt, Fite, Manley, Dill, Sessions, Yeilding, Drake, Cook (Coffee), Garrett, Mays, Owens (W), Paulk and Stembridge:

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act, of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Ways and Means.

By Messrs. Pennington and Bank:

H. 515. To amend Section 259 of Title 46 of the Code of Alabama 1940.

Health.

By Messrs. Pennington and Bank:

H. 516. To amend Section 291 of Title 46 of the Code of Alabama 1940.

Health.

By Messrs. Pennington, Turnham, and McCorquodale:

H. 517. To amend Code of Alabama 1940, Title 22, Section 42, further regulating the Bureau of Vital Statistics in the State Health Department; increasing the fees for record and statistical services and appropriating fee receipts for operation of the Vital Statistics System.

Ways and Means.

By Messrs. Pennington, Pruitt and McCorquodale:

H. 518. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Ways and Means.

By Messrs. Pennington, Pruitt and McCorquodale:

H. 519. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Ways and Means.

By Messrs. Meade, Grainger, Beck and Williams:

H. 520. To amend Section 1 of Act No. 627, Acts of Alabama, Regular Session 1949, entitled An Act to prescribe a procedure and fix the responsibility for maintaining control of the State's personal property and fixing a penalty for neglect of any duty imposed by this Act.

Conservation.

By Mr. Neville:

H. 521. To amend Code of Alabama 1940, Title 7, Section 483, relating to civil remedies and procedures with respect to proceedings on failure to answer interrogatories, so as to decrease the time in which to file answers unless an extension of time shall have been granted.

Judiciary.

By Mr. Neville:

H. 522. To repeal Section 3 of Title 30, Code of Alabama 1940, as amended, which exempts certain persons from jury duty.

Judiciary.

By Mr. Neville:

H. 523. To amend Section 1030, Title 7, Code of Alabama, relating to allowances of garnishees in garnishment proceedings.

Judiciary.

By Mr. Neville:

H. 524. Relating to insurance; further regulating the liability of insurance companies for failure to pay losses under certain conditions within a prescribed time.

State Administration.

By Mr. Neville:

H. 525. To prescribe a rule to apply in the circuit courts and courts of full like jurisdiction in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

Judiciary.

By Messrs. Grainger, Turnham, Berryman (R), Pruitt, Ellis, McElhaney, Williams, Dobbs, Hain, Laxson, McLain, Pennington, Meade, Starnes, McDonald, Lybrand, Hill, Graham and Manley:

H. 526. To authorize county or city boards of education to grant certain leaves to teachers.

Education.

By Messrs. Grainger, Weeks, Turnham, Laxson, McLain, Berryman (R), Burgreen, Pennington, Jones, Smith, Culver, Blanton, McDonald, Shumate, McElhaney, Williams, Dobbs, Robertson, Meade, Starnes, Lybrand, Hill and Graham:

H. 527. Relating to legal public holidays; amending Code of Alabama 1940, Title 39, Section 184.

Constitution and Elections.

By Messrs. McLain and Wright:

H. 528. To authorize and make provision for the incorporation of airport authorities as public corporations and political subdivisions of the State of Alabama for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities, including offices, hangars, and facilities for airlines, and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions, or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by any such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such authority to be organized, application must be made to the governing body of a city or town in Alabama, and permission for organization of such authority must be obtained from such governing body; to provide for the amendment of the certificate of incorporation of such authority; to provide for the selection of the directors and officers of each such authority; to specify the powers of each such authority; to endow each such authority with eminent domain and zoning powers; to exempt each such authority from laws, ordinances and regulations relating to zoning or relating to the advertising and award by the state and its departments of construction or purchase contracts; to provide that any county, city, town or other political subdivision, public corporation agency or instrumentality of this state within this state may aid and cooperate with any such authority in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give,

donate, sell, convey or transfer to any such authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought or maintained against any such authority or any director thereof for or on account of the negligence of the authority or director or of its or his agents, servants or employees; to authorize the issuance by each such authority of interest bearing revenue bonds payable solely out of the revenues of the authority issuing such bonds; to specify provisions of such revenue bonds issued by any such authority and to provide that such revenue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such authority may be secured by pledge of any of the revenues of the authority issuing such bonds, whether the authority's right to such revenues then exists or may thereafter come into existence and by mortgage on any property of any such authority whether then in existence or thereafter acquired, to provide that such pledge may be provided for in an indenture between the authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds, to provide that such pledges be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which the principal office of the authority is located and in any other county in which there is located any property of the authority, the revenues from which are so pledged; to provide that any such authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such authority pursuant to this act shall not constitute or create a debt of the state or of any county, city or town within the state; to specify the uses to which the proceeds of revenue bonds issued by any such authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by any such authority and the income therefrom and the property and income of any such authority; to authorize the investment of any idle funds of any county, city or town within the state in bonds issued by any such authority; to provide that bonds issued by any such authority shall be legal investment for fiduciaries, savings banks and insurance companies; and to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by an authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same.

Judiciary.

By Messrs. McDonald, Starnes and Drake:

H. 529. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

Ways and Means.

By Messrs. McDonald, Starnes and Drake:

H. 530. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of

Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

Ways and Means.

By Mr. Wood:

H. 531. To amend further Act No. 678, H. 1364, Regular Session 1961 (Acts 1961, p. 940), an Act regulating the practice of barbering in counties having populations of not less than 300,000 nor more than 500,000.

Local Legislation No. 3.

By Mr. Marr:

H. 532. To amend Sections 4 and 7 of Act No. 703, General Acts of Alabama 1951.

Judiciary.

By Mr. Collins (W):

H. 533. To amend Sections 1 and 3 of Act No. 322, General Acts of Alabama 1947, page 212, which pertains to the catching of shrimp for bait during the closed season and for the licensing of persons selling or offering for sale such shrimp.

Conservation.

By Mr. Downing:

H. 534. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

Conservation.

By Messrs. Downing and Graham:

H. 535. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

Rules.

By Mr. Garrett (with notice and proof):

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Local Legislation No. 1.

Notice and Proof H. 536:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. In Conecuh County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177 shall be five dollars, which shall be collected by the Sheriff.

Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the Sheriff of Conecuh County, in any bank located in Conecuh County, into a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall drawn upon by the Sheriff of Conecuh County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the Sheriff's office as he sees fit.

Section 4. The establishment of the Sheriff's Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income establishment for the Sheriff or the operation of his office.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Evergreen Courant, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me May 22, 1969.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

By Messrs. Harris, Cook (Coffee), Springer, Headley, Melton, McElhaney, Cameron, Hobbie, Foshee, Jackson (F), Owen (Baldwin), Hardin, Paulk, Brannan, Collins (W), Snell, Lybrand, Bank, House and Cook (Jefferson):

H. 537. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945 (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Ways and Means.

By Messrs. Harris, Cook (Coffee), Springer, Headley, Melton, McElhaney, Cameron, Hobbie, Foshee, Jackson (F), Paulk, Brannan, Owen (Baldwin), Hardin, Collins (W), Snell, Lybrand, Bank, House and Cook (Jefferson):

H. 538. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Ways and Means.

By Messrs. Cameron and Harris:

H. 539. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Ways and Means.

By Messrs. Springer, Cameron, Harris, Hobbie and McElhaney:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

Local Legislation No. 4.

By Messrs. Springer, Cameron, Harris, Hobbie and McElhaney:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

Local Legislation No. 4.

By Mr. Springer:

H. 542. To amend Section 1 of Act 19 of the 1969 Special Session of the Legislature.

Judiciary.

By Mr. Springer:

H. 543. To amend Section 413, Title 51, Code of Alabama 1940, which relates to exceptions to the general rule concerning period of limitation upon assessment and collection.

Ways and Means.

By Mr. Springer:

H. 544. To provide for the disposition of penalties collected on delinquent licenses and improperly licensed motor vehicles by amending Section 835, Title 51, Code of Alabama 1940, as amended by Act No. 610, Regular Session 1951, approved September 4, 1951.

Ways and Means.

By Mr. Springer:

H. 545. To change the effective date of Act No. 392, General Acts 1967, page 979, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Ways and Means.

By Mr. Springer:

No. 546. To change the effective date of the Multi-state Tax Compact Act, Act No. 395, General Acts 1967, page 982, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Ways and Means.

By Mr. Springer:

H. 547. To amend Section 380, Title 51, Code of Alabama 1940, as amended by Act No. 191, General Acts 1959, page 726, in relation to the recognition of gain or loss for state income tax purposes on property involuntarily converted as a result of condemnation.

Ways and Means.

By Mr. Springer:

H. 548. To change the effective date of Act No. 396, General Acts 1967, page 999, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

Ways and Means.

By Mr. Bassett (with notice and proof):

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 549:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Troy in Pike County: to alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Be It Enacted by the Legislature of Alabama:

Section 1: That the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city, in addition to the lands now included, all of the following territory, namely: Beginning at a point on the exist-

ing western boundary of the City of Troy Corporate limits, Pike County, State of Alabama, where the said City limits intersects the North State right of way of U.S. Highway 29 thence in a westerly direction along said right of way to the west line of the NE¼ of the SW¼ of Section 25, Township 10, Range 20, being opposite International Paper Company Wood Yard, thence, South 0 degrees 36 feet W 1488.7 feet thence North 83 degrees 04' E, 1018.8 feet, thence North 108.0 feet, thence North 82 degrees 51' E, 428.5, thence North 2 degrees 34' W 938.8 feet to the South right of way of U.S. Highway 29, thence in an easterly direction along said right of way to the intersection thereof with the existing corporate limits of the city of Troy, Pike County, Alabama thence North to the point of beginning.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon is other wise becoming a law.

STATE OF ALABAMA,
PIKE COUNTY

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice, Boundary lines and corporate limits, City of Troy, was published in said newspaper 4 times, the same appearing in the issues dated: April 29, May 6, 13, 20.

ROBERT L. WINEBARGER,
General Manager.

Sworn to and subscribed before me this the 22 day of May, 1969.

MAURINE BRYAN.

By Mr. Young:

H. 550. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census, authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Local Legislation No. 1.

By Mr. Young:

H. 551. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census; providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

Local Legislation No. 1.

By Mr. Stubbs:

H. 552. Relating to the blocking of crossings of railroad tracks and public streets, roads and highways by railroad trains or railroad equipment; making it unlawful for any railroad company to order, allow, or permit its trains or equipment to block such streets, roads or highways

for more than a specified period of time; requiring such trains or equipment to be cut or so moved as to clear any crossing of any public road, street or highway upon the approach of any emergency vehicle as herein defined; providing for the assessment of fines and penalties against such railroad company for violation thereof; providing that railroad companies shall be responsible for acts of its agents or employees; providing an effective date.

Business and Labor.

By Mr. Stubbs:

H. 553. To amend Code of Alabama 1940, Title 55, Section 406, which relates to income tax returns of corporations, in order to eliminate the requirement that such returns must be sworn to and substitute therefor a requirement that such returns be signed.

Ways and Means.

By Messrs. Holladay and Mathews:

H. 554. An Act relating to highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the federal-aid primary system and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

State Administration.

By Mr. Holladay (with notice and proof):

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Local Legislation No. 1.

Notice and Proof H. 555:

STATE OF ALABAMA,
COUNTY OF ST. CLAIR.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and by-laws, and approved by the State Banking Department and the Federal Deposit Insurance Corporation, any bank situated in St. Clair County shall be authorized to open, establish, operate and maintain at Springville in said county, a branch bank, branch office or other place of business for the receipts of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approved by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in Pell City, St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-10, 4-17, 4-24, and 5-1, all in the year 1969.

E. R. BLAIR.

Sworn to and subscribed before me May 26th, 1969.

ETHEL BLAIR,
Notary Public.

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 556. To provide that the execution of certain contracts and purchases made by or on behalf of the Alabama Institute of Deaf and Blind shall be subject to the provisions of the state competitive bid law as provided by Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) as amended.

Agriculture.

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 557. Relating to schools; authorizing Alabama Institute for Deaf and Blind to provide education at pre-school and junior college levels for deaf, blind, visually handicapped, and otherwise severely handicapped persons.

Agriculture.

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 558. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

Agriculture.

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 559. Relating to schools; authorizing the Alabama Institute for Deaf and Blind to provide education for non-residents of the state, the expense of such education to be borne by such persons.

Agriculture.

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 560. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

Agriculture.

By Messrs. Smith, Bolton, Collins (C) and Beck:

H. 561. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

Agriculture.

By Mr. Smith:

H. 562. To designate marble as the official rock of the State of Alabama.

Agriculture.

By Messrs. Smith, Young, Laxson, Culver, Collier, Hobbie and Harris:

H. 563. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distrubution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Agriculture.

By Messrs. Smith and Bolton:

H. 564. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Ways and Means.

By Messrs. Smith and Bolton:

H. 565. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Ways and Means.

By Mr. Hill:

H. 566. To provide for inclusion of shelters from radioactive fallout in new public buildings and structures erected in the state wherein the use of state funds are involved, including all public school buildings and structures and buildings or structures of colleges and universities.

State Administration.

By Mr. Hill:

H. 567. To authorize minicipalities and county governing bodies to require the inclusion of radioactive fallout protection in new public buildings or structures.

State Administration.

By Mr. Hill:

H. 568. To amend Section 91 of Title 36 of the Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue special permits for movement of certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91 (1) of Title 36 of the Code of Alabama of 1940, as amended.

State Administration.

By Mr. Hill:

H. 569. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Ways and Means.

By Mr. Hill:

H. 570. Relating to the registration of judgments and decrees; amending Code of Alabama, Title 7, Section 584.

Judiciary.

By Messrs. Hill and Haygood:

H. 571. To amend Code of Alabama 1940, Title 17, Section 26, as amended, and Section 28, which relate to meetings of county boards of registrars and places thereof, in order to eliminate the requirement that such boards visit the precincts and that persons may be registered only at the courthouse or in the precinct of their residence.

State Administration.

By Mr. Harper (with notice and proof):

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Local Legislation No. 1.

Notice and Proof H. 572:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. A county privilege license or excise tax is hereby imposed upon every seller, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) in Tallapoosa County. The tax shall not apply, however, with respect to transactions which occur wholly within the corporate limits of incorporated municipalities. The tax shall be an amount equal to one cent on each four fluid ounces, or fractional part thereof, of malt or brewed beverages sold, used, consumed, distributed, stored, or withdrawn from storage in the county in areas outside the corporate limits and police jurisdictions of incorporated municipalities, and one-half that amount on transactions which occur outside the corporate limits but within the police jurisdictions of such municipalities. The tax shall be in addition to all other taxes heretofore or hereafter levied on such beverages; provided, that where the amount of the tax imposed by this act shall have been paid to the county by any seller, distributor, dealer, storer or user, such payment shall be sufficient, the intent being that the tax levied by this act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the county governing body who shall be solely responsible for the administration of this act. Said body shall provide rules and regulations and administrative machinery for the enforcement and collection of the tax levied, and may provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax, and provide proper forms requiring sufficient information and proof, to be verified by the oath of any seller, distributor, dealer, storer or other user claiming exemption from payment of the tax on account of purchases made from others who have paid the tax imposed by this act. The county governing body shall be authorized to employ such personnel and inspectors to assist in the administration and enforcement of this act as may be deemed necessary.

Section 3. Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this act, and on or before the 15th day of each calendar month thereafter, file with the county governing body a written statement sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each brand, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, and a detailed, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages and the date or dates on which sold, distributed or delivered.

(b) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from the county governing body and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made; provided, however, that nothing contained in this section, or in any other part of this act, shall authorize any sale, distribution or delivery of malt or brewed beverages within the county, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales, receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the county governing body thirty days' notice in writing of his intent to destroy or dispose of such records. The county governing body or its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as he may deem desirable or proper. The failure to keep such records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the county governing body or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this act to furnish without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, memoranda containing entries showing the amount of purchases, sales, receipts, inventories and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand therefor shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this act not keep and have in his possession or control correct and detailed books of account, invoices, papers, reports or memoranda correctly showing the data and information necessary for the determination of the correct amount of the license tax due, and the required information as to sales in the several tax areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the county governing body to ascertain from such information and data as it may reasonably obtain the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdemeanor, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in section 3 or when he buys his decals or other devices from the county governing body, if that body requires the distributor or seller to buy decals or other devices.

Section 6. (a) It shall be the duty of the county governing body to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in complying with the provisions of this act, and to furnish the same to such distributors or sellers as they may be requierd.

(b) It shall be the duty of the county governing body to enforce the provisions of this act, and to that end its duly appointed agent is authorized to enter lawfully any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages, and to inspect the containers of malt or brewed beverages in the retailer's possession, for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this act. It shall be lawful also for any police officer or a deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages.

Section 7. Collection of the tax may be accomplished in this fashion:

The governing body may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage, distributed or sold, each of which decals or other devices shall bear in legible characters a notation that it evidences the payment of the tax levied by this act, and may

procure such forms and other printed matter and materials as may be necessary in the administration of this act. Decals or other devices may be furnished to each seller or distributor of malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures, less a ten per cent (10%) discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

Section 8. The proceeds of the tax imposed by this act shall be paid into the general fund in the county treasury and may be used for any lawful county purpose.

Section 9. Any person, firm, or corporation who violates any provision of this act or the rules and regulations as may be provided by the county governing body shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 10. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations promulgated by the county governing body shall pay, in addition to the tax, a penalty of ten percent of the amount of tax, together with interest thereon at the rate of one-half of one per cent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this act are repealed.

Section 13. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, Ray Pruett Business Manager, of the Dadeville Record, published weekly at Dadeville, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for Four consecutive weeks, commencing with the issue dated March 20, 1969, and ending with the issue dated April 10, 1969.

RAY PRUETT.

Subscribed and sworn before me this 14th day of April, 1969.

JEAN DAVIS,
Notary Public.

By Messrs. Wright, Cook (Coffee), McLain and Grainger:

H. 573. To amend Section 797, Title 51, Code of Alabama 1940 relating to assessment and appeal under the use tax law.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain and Grainger:

H. 574. To amend Section 14, Act No. 100, Second Special Session, 1959, which relates to incorrect payments of sales tax.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain, and Grainger:

H. 575. To provide for equal and uniform assessment of motor vehicles by amending Section 704, Title 51, Code of Alabama 1940, as amended by Act No. 660, Regular Session 1961, approved September 6, 1961, by adding thereto provisions requiring the Department of Revenue to adopt and distribute a uniform schedule of assessment values to be used in the collection of ad valorem taxes on motor vehicles, including house trailers, requiring assessing officers to use such schedule, and providing remedies for failure to comply with this act.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain, and Grainger:

H. 576. To further amend Section 2, Act No. 100, Second Special Session, 1959, as amended by Act No. 464, Regular Session, 1963, approved September 6, 1963, which relates to the levy of the sales tax.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain and Grainger:

H. 577. In order to provide to the Department of Revenue a means of apprehending persons evading the tax on tobacco products levied by Section 718 of Title 51, Code of Alabama 1940, and acts supplemental thereto, payments of rewards are authorized for information leading to the apprehension of persons evading the tax or for information leading to confiscation of contraband tobacco products.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain and Grainger:

H. 578. To amend Article 9 of Chapter 20 of Title 51, Code of Alabama 1940, Recompiled 1958, commonly referred to as the Alabama Tobacco Tax Laws, and particularly Section 724, 730 and 731 of Title 51, supra, to extend the provisions of said sections in order that the tobacco tax laws of this state can be better administered and enforced as against distributing agents, carriers, warehousemen and others.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain and Grainger:

H. 579. To amend Section 416, Title 51, Code of Alabama, 1940, which relates to assessment of income tax against those failing to make return and remit the amount due and penalties for such failure.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain and Grainger:

H. 580. To further amend Section 788, Title 51, Code of Alabama, 1940, as amended by Act No. 76, Second Special Session, approved September 30, 1965, which relates to the levy of the use tax.

Judiciary.

By Messrs. Wright, Cook (Coffee), McLain and Grainger:

H. 581. To provide for service for writs of garnishment and all notices and orders issued pursuant thereto by the department of revenue by agents or employees of the department of revenue designated in writing by the commissioner of revenue.

Judiciary.

By Mr. Fine (with notice and proof):

H. 582. To alter, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 582:

PUBLIC NOTICE

THE STATE OF ALABAMA
LAMAR COUNTY

Notice is hereby given that a bill in substantially the following form will be introduced in the Legislature of the State of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama:

Be It Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the Town of Kennedy, Lamar County, Alabama, be altered, rearranged and extended to include the following territory:

The SE¼ of NE¼, the SE¼ of SW¼, and the SE¼ of Section 10: the S½ of N½, and the S½ of Section 11; the N½ of Section 14; the N½ of Section 15; the SE¼ of NE¼, the SW¼ of SW¼, the E½ of SW¼, the W½ of SE¼, and NE¼ of SE¼ of Section 16; the NW¼ of NE¼, and S½ of NE¼, and the NE¼ of SE¼ of Section 21. All being in Township 17 South, Range 14 West in Lamar County, Alabama.

Section 2. That all laws and parts of laws, general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. This Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

DAVID FINE,
Member of the Legislature from Lamar County, Alabama.

PROOF OF PUBLICATION

THE STATE OF ALABAMA
LAMAR COUNTY

Before me, Nellie Ruth Taggart, a Notary Public in an for said County, personally appeared Howard Reeves, Publisher of THE LAMAR DEMOCRAT, a newspaper published in said County, who, being by me first duly sworn, states that the attached notice was published once

a week for 4 consecutive weeks in said paper in issues dated as follows: February 20, 1969, February 27, 1969, March 6, 1969, March 13, 1969.

HOWARD REEVES,
Publisher.

Subscribed and sworn to before me, this the 15th day of April, 1969.

NELLIE RUTH TAGGART,
Notary Public.

My Commission Expires 8-27-69.

By Mr. Lybrand:

H. 583. To further regulate domestic stock insurance companies in respect to merger, consolidation and certain exchanges of stock and, in furtherance thereof, to provide for approval by the Superintendent of Insurance after public hearing, and to provide rights for dissenting shareholders in connection therewith.

Judiciary.

By Mr. Lybrand:

H. 584. To amend Section 4 of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 514), known and cited as the "Regional Vocational and Trade Schools Act," by providing for and regulating certain paid leaves of absence for members of the faculty of such schools, caused by sickness.

Judiciary.

By Messrs. Cook (Coffee) and Steagall:

H. 585. To amend Title 51, Section 701 (1), Code of Alabama 1940, as amended, which provides for tags for motor vehicles owned and used by state, county or municipality to provide distinctive tags for vehicles of municipal gas districts.

State Administration.

By Messrs. Cook (Coffee) and Steagall:

H. 586. To authorize the exchange of information secured by department of revenue officials or employees for the purpose of arriving at the amount of any tax due the State of Alabama with officials or duly authorized agents of the United States Internal Revenue Service, United States Department of the Treasury, for the purpose of administering federal tax laws where a like privilege is granted by the United States Internal Revenue Service to officials or duly authorized agents of the department of revenue, State of Alabama.

Ways and Means.

By Messrs. Cook (Coffee) and Steagall:

H. 587. To provide distinctive license plates free of charge for Alabama members of the United States Senate and House of Representatives; authorizing the commissioner of revenue to provide rules and regulations for the making, issuance and design of such plates.

State Administration.

By Messrs. Bank, Merrill, Lybrand, Doss and Brown:

H. 588. To amend Section 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

Transportation.

By Mr. Dobbs:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

Local Legislation No. 1.

By Messrs. Shumate, Drake, Graham, Dobbs, Gafford and Agee:

H. 590. To amend further Title 8, Section 86, Code of Alabama 1940, as amended, in relation to the hunting of raccoon.

Conservation.

By Messrs. Agee and McCorquodale (with notice and proof):

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Local Legislation No. 1.

Notice and Proof H. 591:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 99, Regular Session 1957, Acts 1957 p. 137) as amended, is amended further to read as follows:

"Section 1. The county superintendent of education of Washington County shall receive an annual salary not to exceed the sum of an amount equal to the highest salary paid to any teacher or principal in the county school system plus an amount equal to 25% of such highest paid salary. The salary herein provided for the superintendent of education shall be fixed by the county board of education and shall be payable in equal monthly installments out of county funds available for such purpose."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

DALTON JACKSON.

Sworn to and subscribed before me May 23, 1969.

HOWARD SCOTT,
Notary Public, State of
Ala. at large.

By Messrs. Agee, McCorquodale, Owen (Baldwin), Brannan, Manley, Kilgore and Dobbs:

H. 592. To provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases.

Judiciary.

By Messrs. McCorquodale, Stembridge, Brannan, Pruitt, Agee and House:

H. 593. To repeal Title 8, Section 95, Code of Alabama 1940; 1935 General Acts, Page 813, and to amend Act No. 187, H186, Acts of Alabama, Special Session 1961, Page 2157, approved September 15, 1961, which relates to licenses to capture and kill fur-bearing animals.

Conservation.

By Mr. Crawford:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Local Legislation No. 1.

By Mr. Williams:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Holman, Kilgore, Weeks, Jackson (T), Cherner, Gafford, Yeilding, Sessions, Watkins, Ellis, Money, Bowers and Cook (Jefferson):

H. 596. Applicable in each county having a population exceeding 600,000 according to the then next preceding federal decennial census; and providing that a permit from the governing body of each such county shall be a prerequisite to the use of public highways and other public ways in the county for construction, installation or commencement of operation therein of public water facilities.

Local Legislation No. 2.

By Messrs. Cherner, Kilgore, Holman, Weeks, Gafford, Gloor, Yeilding, Sessions, Dill, Waggoner, Watkins, Money, Cook (Jefferson) and Bowers:

H. 597. To amend Sections 2 and 3 of Act No. 635, H. 836, Regular Session of 1967 (1967 General Acts, Vol. 2, p. 1445) being an act to create a commission on taxation and services in all counties having populations of 600,000 or more, to prescribe the powers and duties of the commission and to provide for the selection and compensation of the commissioners.

Local Legislation No. 2.

By Messrs. Adwell, Kilgore, Holman, Weeks, Jackson (T), Gloor, Sessions, Dill, Waggoner, Watkins, Ellis, Money and Cook (Jefferson):

H. 598. To further amend Section 19 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376 et seq.) as heretofore amended.

Local Legislation No. 2.

By Messrs. Dill, Kilgore, Holman, Weeks, Jackson (T), Gloor, Cherner, Gafford, Yeilding, Sessions, Meeks, Ellis, Watkins, Money, Bowers and Cook (Jefferson):

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302-1304), providing for the appointment of a zoning board of adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Local Legislation No. 2.

By Messrs. Dill, Kilgore, Holman, Weeks, Gloor, Cherner, Gafford, Yeilding, Sessions, Bowers, Waggoner, Meeks, Watkins, Ellis, Money, Cook (Jefferson) and Adwell:

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

Local Legislation No. 2.

By Messrs. Dill, Kilgore, Holman, Weeks, Jackson (T), Gloor, Cherner, Gafford, Yeilding, Sessions, Bowers, Waggoner, Meeks, Watkins, Ellis, Money, Cook (Jefferson) and Adwell:

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

Local Legislation No. 2.

By Messrs. Cherner, Yeilding, Sessions, Ellis, Jackson (T), Cook (Jefferson), House, Bowers, Meeks, Gafford, Holman, Gloor, Weeks and Adwell:

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties

and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legislature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, Page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

Local Legislation No. 2.

By Messrs. Brannan and Owen (Baldwin):

H. 603. To abolish the Fort Morgan Historical Commission and to place its powers, duties, personnel, property, and funds under the jurisdiction of the Division of State Parks, Monuments, and Historical Sites of the Department of Conservation and to create the Fort Morgan Historical Advisory Commission.

Conservation.

By Mr. Collins (W):

H. 604. To amend Section 2 of Act No. 474, H. B. 202, Regular Session, 1961 (Acts of Alabama, 1961, Volume I, p. 529 et seq), an act providing for and authorizing the relocation of utility facilities when necessitated by Federal-aid highway system projects, and providing for the payment thereof.

Ways and Means.

By Messrs. Drake and Starnes:

H. 605. Relating to the suspension or revocation of drivers' licenses; authorizing the director of public safety to issue drivers' licenses for limited use.

Ways and Means.

By Messrs. Merrill and Fite:

H. 606. To make an appropriation to the Board of Directors of the Alabama Law Institute for the Alabama Law Institute Library.

Ways and Means.

By Mr. Blanton:

H. 607. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

RESOLUTION

The following resolution was introduced:

By Mr. Neville:

H. R. 30. WHEREAS, Lake Eufaula is an 80 mile long fisherman's paradise, created by the impoundment of the waters of the Chattahoochee River; and

WHEREAS, the Department of Conservation of the State of Alabama has described Lake Eufaula as the hottest bass fishing lake in the United States; and

WHEREAS, present and former members of the Alabama Legislature and the Capitol Press Corps have been telling incredible fish stories of fantastic fish catches at Lake Eufaula and have shown photographs to prove their veracity; and

WHEREAS, the deadline for entering the Alabama Fresh Water Fishing Rodeo at Lake Eufaula is noon on May 30, 1969; and

WHEREAS, the Alabama Fresh Water Fishing Rodeo at Lake Eufaula will be held on May 30, 31 and June 1, 1969 and will offer $6,000 in prizes; and

WHEREAS, the Lake Eufaula National Bass Tournament will be held at Lake Eufaula on July 10, 11 and 12, 1969; and

WHEREAS, a new world's record for the number of bass caught was set by the 125 fishermen who entered the 1968 Lake Eufaula National Bass Tournament when they caught 3,124 pounds of bass in 34 hours.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That we urge the public to come to the Big Bass Capitol of the United States at Eufaula to prove its fishing prowess and collect their prizes in the Alabama Fresh Water Fishing Rodeo at Lake Eufaula on May 30, 31 and June 1, 1969, and in the Lake Eufaula National Bass Tournament on July 10, 11 and 12, 1969.

On motion of Mr. Neville, the rules were suspended and H. R. 30 was adopted.

MOTION TO ADJOURN LOST

Mr Watkins moved to adjourn until 12 o'clock Tuesday, June 3, 1969.

A substitute motion by Mr. Merrill to adjourn until 2 o'clock P.M., Tuesday, June 3, 1969, was lost.

Yeas 21; Nays 54.

Yeas:

Mr. Speaker	Fine	Holman	Shumate
Adwell	Gafford	McDonald	Smith
Cherner	Grayson	Meade	Starnes
Dill	Hain	Neville	Watkins
Doss	Higginbotham	Perloff	Weeks
Drake			—21

Nays:

Messrs.:	Cook (Jefferson)	Holladay	Pearson
Agee	Culver	House	Pennington
Bank	Downing	Jackson (F)	Sessions
Bassett	Edington	Lemley	Snell
Berryman (R)	Ellis	Lybrand	Springer
Berryman (W)	Foshee	Lyons	Steagall
Blanton	Garrett	Mays	Stembridge
Brannan	Gloor	McCorquodale	Stubbs
Brassell	Graham	McLain	Turnham
Burgess	Grainger	Meeks	Waggoner
Cameron	Hardin	Nettles	Wood
Collier	Harris	Owen (Baldwin)	Wright
Collins (C)	Hill	Owens (W)	Yeilding
Collins (W)	Hobbie	Paulk	—54

The question then was on the motion of Mr. Watkins, which was lost by voice vote.

RESOLUTION

The following resolution was introduced:

By Mr. Smith:

H. R. 31. RESOLVED, That the Clerk of the House shall have printed as a legislative document 500 copies of a pamphlet or book containing the text of each of the first five Constitutions of the State of Alabama, together with the text of all amendments thereof, verbatim.

RESOLVED FURTHER, That the Speaker shall be authorized to appoint a committee of three members of the House to assist the Clerk in preparing such document for the printer; and the committee may insert therein such editorial comments and explanatory notes as they consider necessary or desirable.

On motion of Mr. Smith, the rules were suspended and H. R. 31 was adopted.

COMMITTEE APPOINTED

In accordance with the provisions of H. R. 31 heretofore adopted, the Speaker appointed as a committee Messrs. Smith (Chairman), Edington and Ellis.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 24. Further regulating reports and returns relative to the Alabama sales and use taxes; requiring the makers of such reports and returns to show thereon, separately by county, the total amount of their taxable business done in all counties in this State having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census.

Was again taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Shumate to adjourn until 2 o'clock P.M., Tuesday, June 3, 1969, was lost.

Yeas 36; Nays 50.

Yeas:

Mr. Speaker	Dobbs	Holman	Paulk
Adwell	Downing	Jackson (T)	Perloff
Bank	Drake	Kilgore	Robertson
Berryman (R)	Fine	Laxson	Shumate
Blanton	Gafford	Manley	Starnes
Bowers	Grayson	McDonald	Stembridge
Brown	Hain	Meade	Waggoner
Cook (Coffee)	Headley	Merrill	Watkins
Dill	Higginbotham	Neville	Weeks

—36

Nays:

Messrs.:	Edington	Lemley	Pennington
Agee	Ellis	Lyons	Sessions
Bassett	Foshee	Malone	Smith
Berryman (W)	Garrett	Marr	Snell
Brannan	Gloor	Mays	Springer
Brassell	Graham	McElhaney	Steagall
Burgess	Grainger	McLain	Stubbs
Cameron	Hardin	Meeks	Turnham
Cherner	Harris	Money	Wood
Collins (C)	Hill	Nettles	Wright
Collins (W)	Hobbie	Owen (Baldwin)	Yeilding
Cook (Jefferson)	House	Owens (W)	Young
Culver	Jackson (F)	Pearson	—50

LEAVE OF ABSENCE

On motion of Mr. Doss, continued leave of absence was granted to Mr. Slate due to personal illness.

CONSIDERATION OF H. 24 RESUMED

Mr. Wright offered the following amendment to the bill, H. 24:

Amend H. B. 24 by striking therefrom the figure 25,900 wherever it appears and substituting in lieu thereof the figure 106,000.

And the amendment was adopted.

Yeas 65; Nays 11.

Yeas:

Mr. Speaker	Edington	Lybrand	Pennington
Bank	Fine	Lyons	Pruitt
Bassett	Foshee	Malone	Robertson
Berryman (R)	Garrett	Manley	Shumate
Blanton	Grainger	Marr	Smith
Brassell	Hain	Mathews	Snell
Brown	Hardin	Mays	Starnes
Cameron	Harper	McDonald	Steagall
Collier	Harris	Meade	Stembridge
Collins (W)	Headley	Meeks	Stubbs
Cook (Coffee)	Higginbotham	Merrill	Turnham
Culver	Hill	Neville	Watkins
Dill	Hobbie	Owen (Baldwin)	Williams
Dobbs	Jackson (F)	Owens (W)	Wright
Doss	Laxson	Paulk	Yeilding
Downing	Lemley	Pearson	Young
Drake			—65

Nays:

Messrs.:	Collins (C)	McLain	Springer
Berryman (W)	Ellis	Money	Waggoner
Cherner	Graham	Nettles	Wood
			—11

Mr. Cook (Jefferson) offered the following amendment to the bill, H. 24, as amended:

Amend the title of H. B. 24 by deleting the period "." at the end of said title and substituting in lieu thereof in words and figures as follows:

"provided, however, the provisions of this Act shall impose no duties or obligations upon any person not within a county to which this Act applies."

Further amend H. B. 24 by adding as the last sentence of Section 1. as follows:

"The provisions of this Act shall impose no duties or obligations upon any person not within a county to which this Act applies."

ADJOURNMENT

On motion of Mr. Meade, the House adjourned until two o'clock P.M., Tuesday, June 3, 1969.

SEVENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 3, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Paul Kendall, Pastor, St. Andrews Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Adwell	Doss	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (R)	Fine	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Shumate
Blanton	Gafford	Malone	Slate
Bolton	Garrett	Manley	Smith
Bowers	Gloor	Marr	Snell
Brannan	Graham	Mathews	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McCorquodale	Steagall
Burgess	Hain	McDonald	Stembridge
Burgreen	Hardin	McElhaney	Stubbs
Cameron	Harper	McLain	Tuck
Cherner	Harris	Meade	Turnham
Collier	Haygood	Meeks	Waggoner
Collins (C)	Headley	Melton	Watkins
Collins (W)	Higginbotham	Merrill	Weeks
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crane	Holladay	Neville	Wright
Crawford	Holman	Owen (Baldwin)	Yeilding
Culver	House	Owens (W)	Young
Dill			

—105

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 141. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials and members of the Legislature; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

H. 447. Relating to public utilities, amending Section 84 of Title 48, Code of Alabama 1940 so as to prohibit the filing of supersedeas bonds to stay certain orders of the public service commission in cases of appeal.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 556. To provide that the execution of certain contracts and purchases made by or on behalf of the Alabama Institute of Deaf and Blind shall be subject to the provisions of the state competitive bid law as provided by Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) as amended.

H. 557. Relating to schools; authorizing Alabama Institute for Deaf and Blind to provide education at pre-school and junior college levels for deaf, blind, visually handicapped, and otherwise severely handicapped persons.

H. 558. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

H. 559. Relating to schools; authorizing the Alabama Institute for Deaf and Blind to provide education for non-residents of the state, the expense of such education to be borne by such persons.

H. 560. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

H. 561. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

H. 562. To designate marble as the official rock of the State of Alabama.

H. 563. To provide for the licensing and operation of privately owned hunting preserves; to provide the Director of Conservation with the authority to regulate the operation of such preserves; to provide for the cost of the privilege licenses for operating such preserves; to provide for the distribution of all monies accruing to the State under the provisions of this Act and to provide a penalty for the violation of the provisions of this Act.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 590 (with amendment). To amend further Title 8, Section 86, Code of Alabama 1940, as amended, in relation to the hunting of raccoon.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 361. To amend Section 2 of Act No. 1001, Acts of Alabama 1951 Regular Session of the Alabama Legislature, approved September 14, 1951, which prohibits certain methods for taking birds and animals in this State.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 108 (with amendment). Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

The above bill was read a second time at length as required by the Constitution.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 4. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a

favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 21 (with substitute). To amend Code of Alabama 1940, Title 17, Section 45, requiring certain information to be furnished to boards of registrars, so as to require the state registrar of vital statistics to furnish certain monthly death reports to such boards.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 101 (with amendment). To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 126. To redistrict the State and provide for the election of congressmen by districts, further amending Code 1940, Title 17, Section 425.

H. 132. Proposing an amendment to Article XVIII, Section 284 of the Constitution of Alabama, in relation to the times for holding elections on constitutional amendments.

The above bill was read a second time at length as required by the Constitution.

H. 135. Proposing an amendment to the Constitution of Alabama relative to the qualification and registration of duly ordained ministers.

The above bill was read a second time at length as required by the Constitution.

H. 168. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

The above bill was read a second time at length as required by the Constitution.

H. 170. Relating to elections; to amend further Code of Alabama 1940, Title 17, Section 145, in relation to the number of signatures required on petitions for persons to become independent candidates before such person's name may be put on the ballot.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 171 (with amendment). Relating to elections; to regulate further the number, manner of appointment and qualification of poll watchers at voting places in primary, general, special and municipal elections.

H. 172 (with amendment). To provide further for the conduct of elections in all counties wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 173. Relating to elections; to amend Code of Alabama 1940, Title 17, Section 197 in relation to the time when the statement of votes and the poll list must be delivered by the returning officer of the precinct to the returning officer of the county.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 174 (with amendment). Relating to election officials; further regulating and providing for the appointments, duties and compensation of certain officials for primary, general, special and municipal elections; specifically reducing the number of such officials to be appointed when paper ballots are used; and repealing conflicting laws and parts of laws.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 175. Relating to elections; placing certain restrictions on write-in candidates and write-in votes; defining write-in candidate and repealing conflicting laws.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 176 (with amendment). To fix the time for canvassing returns of general elections; amending Code of Alabama 1940, Title 17, Section 199.

H. 177 (with amendment). Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 178. Relating to elections; repealing Sections 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, and 400 of Title 17, Code of Alabama 1940.

H. 179. To amend Code of Alabama Title 17, Section 153, which relates to the form of ballots to be used at elections, to provide for direct voting on candidates for president and vice president of the United States.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 180 (with amendment). Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

The above bill was read a second time at length as required by the Constitution.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 181. Relating to the conduct of elections; specifically providing that only one poll list shall be made at each place of voting in any election, primary, general, special or municipal; regulating the making of such list; providing that certain phrases when used in the election laws of this state shall refer to and mean the list made at each place of voting, as required by this Act; and repealing the provisions of certain laws which conflict with this Act.

H. 183. Relating to elections; amending Code of Alabama, title 17, section 149 so as to provide for discontinuance of political party emblems and to define the term political party.

H. 184. To amend Act No. 664, S. 133 of the Regular Session of 1961 (Acts of Alabama, Regular Session 1961, p. 868), which provides for and regulates elections in cities and towns of 300,000 population or less, which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provisions of the general election law relative to assistance to disabled voters.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 185. To amend further Act No. 531, S. 101, approved September 30, 1947 (General Acts 1947, p. 388) relating to the compensation of registrars, so as to make further provisions respecting payment of such compensation.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 186. To amend further Act No. 663, S. 132 of the Regular Session of 1961 (Acts of Alabama 1961, p. 827), as amended, which provides for and regulates general and special elections in cities and towns of this state having populations of 300,000 or less, except cities and towns which have a commission form of government, so as to make the provision thereof for assistance to disabled voters conform to the provision of the general election law relative to assistance to disabled voters.

H. 358. To amend Title 17, Sections 12, 32 and 35, Code of Alabama, reducing the minimum age for persons to register and to vote.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 359 (with amendment). Proposing an amendement to the Constitution of Alabama in relation to the minimum age for registering to vote and voting.

The above bill was read a second time at length as required by the Constitution.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 527. Relating to legal public holidays; amending Code of Alabama 1940, Title 39, Section 184.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 122. Further to regulate and provide for the election of presidential electors; forbidding voting for candidates for presidential electors by voting a straight party ticket; and providing for the preparation of ballots and voting machines in such manner as to preclude the inclusion of nominees for presidential electors in the respective political party's regular ticket, but to provide for voting for nominees for such offices separately from the party's nominees for other offices.

H. 124. To authorize, provide for and regulate a work release plan for certain prison inmates.

H. 35. Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 61 (with amendment). To amend Section 772 of Title 37, Code of Alabama 1940.

H. 63 (with amendment). To amend Section 774, Title 37, Code of Alabama 1940.

H. 64 (with amendment). To amend Section 776 of Title 37, Code of Alabama 1940.

H. 65 (with amendment). To amend Section 777, Title 37, Code of Alabama 1940.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 70. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

The above bill was read a second time at length as required by the Constitution.

H. 71. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

H. 95. To authorize political subdivisions to enter into agreements for joint or cooperative action between themselves, a state or the United States and prescribing the procedures therefor.

H. 102. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 103 (with amendment). To amend Section 156, Title 41, Code of Alabama 1940.

H. 104 (with amendment). To amend Section 13 of Title 37, Code of Alabama 1940.

Mr. Snell, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 217. Relating to the state military department and the head thereof; creating the office of commanding general of the state military forces in lieu of the office of adjutant general, which office is hereby abolished; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws; and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his duties and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

The above bill was read a second time at length as required by the Constitution.

H. 512. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Lee County exclusive of Auburn and Opelika.

The above bill was read a second time at length as required by the Constitution.

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

H. 550. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census, authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

H. 551. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census; providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Mathews:

H. R. 32. WHEREAS the press of legislative and executive business during the special session just ended has been such that the Governor, Director of Finance, and State Budget Officer have been unavoidably prevented from preparing and transmitting to the two houses the budget document setting forth the Governor's financial program for the ensuing biennium within the time specified in Chapter 4, Title 55, Code of Alabama 1940; and

WHEREAS additional time for this work is needed and has been requested; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the time for filing the budget document with the Legislature be and hereby is extended until the 10th legislative day.

On motion of Mr. Mathews, the rules were suspended and H. R. 32 was adopted.

Also:

By Messrs. Collins (C), Grayson, Lyons, Perloff, Marr, Collins (W), Downing, Wood, Nettles and Edington:

H. J. R. 33. WHEREAS, Frank C. Drane passed away on Wednesday, May 28, 1969; and

WHEREAS, He was the first and only manager of the Hotel Admiral Semmes in Mobile, serving conventions of all types both large and small; and

WHEREAS, After twenty years of serving in hotels in the South, including the Peabody Hotel in Memphis and the Thomas Jefferson Hotel in Birmingham, he was named Public Relations Manager of the National Hotel Company in Galveston, and at the time of his death he was serving this organization as a Vice President; and

WHEREAS, Mr. Drane has been past President of the Alabama Hotel Association, past President of the Mobile Innkeepers Association, Director for many years on the Board of the American Hotel Association, was a member of the Board of Directors of the Mobile Area Chamber of Commerce, and other civic activities.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That they do hereby extend sympathy to the family of Frank C. Drane and join with his many friends in mourning his death.

It is further resolved that a copy of this resolution be spread upon the minutes of the Journal and that a copy be sent to the members of the family.

On motion of Mr. Downing, the rules were suspended and H. J. R. 33 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 19. Congratulating Dr. Simril F. Bryant, pastor of the First Presbyterian Church of Tuscaloosa, on his retirement after a distinguished career in the ministry.

Also:

H J. R. 18. Mourning the death of Mr. Josh R. Burgess, of Calhoun County, father of Representative Ray Burgess.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pierce, Goodwyn and Bailes:

S. J. R. 14. WHEREAS, the Legislature is informed of the imminent retirement of Mrs. Walter Bragg (Lillian) Smith, R. N., as the Executive Director of the Alabama State Nurses Association; and

WHEREAS, Mrs. Smith has been a familiar and beloved figure in the legislative halls of Alabama in past years and has brought honor and credit to her profession of nursing, to herself and to this state; and

WHEREAS, Mrs. Smith has always conducted herself with decorum, grace and pleasantness, and has always been most objective and truthful in presenting matters affecting nurses to the Legislature; and

WHEREAS, through Mrs. Smith's efforts much beneficial legislation affecting the practice of nursing, the regulation and licensing of nurses, and the promotion of education of nurses has been enacted into law, all of which is in the best interest of the citizens of Alabama; and

WHEREAS, Mrs. Smith has been deservedly honored numerous times by professional nurse associations, both within the state and nation; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Legislature recognize this nurse's Nurse by expressing its sincere appreciation to her for her years of devoted service to worthwhile legislation in matters affecting nursing and to honor her for her tireless efforts in behalf of her profession.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Mrs. Smith, the Alabama State Nurses Association and the American Nurses Association.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hobbie, the rules were suspended and the House concurred in and adopted the S. J. R. 14 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nabors:

S. J. R. 15. WHEREAS, Etowah County was given its name by Legislative Act in 1868 after said county had been carved out of several adjoining counties; and

WHEREAS, The Board of Revenue of Etowah County adopted in 1968 a resolution providing for the celebration of the county's Centennial, and did appoint a number of citizens of the county to provide for the appropriate celebration of the county's one hundredth birthday; and

WHEREAS, the committee, among other things, was desirous of having a flag designed to be the symbol of Etowah County; and

WHEREAS, a large number of the citizens did submit designs to a selection committee for their acceptance and Jean Marie Williams and Denise Williams, the same being the daughters of Mr. and Mrs. James Williams, and who are now seventh and eighth grade students respectively of Alma Hinson Junior High School in Attalla, Alabama, did design the flag which was accepted by the committee.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that Jean Marie Williams and Denise Williams, although being of a very young age, exemplified the very best in American traditions in the designing of the flag for Etowah County on the celebration of its Centennial; and that they are hereby commended for this contribution to their county, state and nation.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Jean Marie Williams and Denise Williams at 222 Bain Street, Attalla, Alabama, and a copy forwarded to the Board of Revenue of Etowah County, Alabama, for insertion in the official records of Etowah County.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Wright, the rules were suspended and the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Pierce:

S. J. R. 13. WHEREAS, The year 1969 marks the beginning of the 50th Anniversary Celebration of the League of Women Voters of the United States; and

WHEREAS, The League of Women Voters, which was founded in 1920 primarily to help 20 million women voters to carry out their new responsibilities, has in fact assisted men and women voters alike; and

WHEREAS, The League of Women Voters has provided nonpartisan information on candidates and ballot issues prior to elections, encouraged registration and informed voting and helped generations of women understand the structure and function of government; and

WHEREAS, The League of Women Voters of Alabama was established in 1951 to this same end; and

WHEREAS, The League of Women Voters, while nonpartisan in relation to candidates and political parties, has studied and acted upon many issues of government in the public interest; and

WHEREAS, The League of Women Voters of Alabama has strengthened state government in Alabama through its work on such issues as election law reforms, water pollution control, and additional revenue for education; now, therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, That the members of this Legislature unite in congratulating the League of Women Voters upon the 50th Anniversary of its founding and in commending the League for its long record of public service.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the League of Women Voters as a sincere expression of the high esteem in which it is held.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Springer, the rules were suspended and the House concurred in and adopted the S. J. R. 13 set out in the above and foregoing Message from the Senate.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Neville (with notice and proof):

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

Local Legislation No. 1.

Notice and Proof H. 608:

LEGAL NOTICE

STATE OF ALABAMA,
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Clayton in Barbour County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Clayton in Barbour County are hereby altered, rearranged, extended, and redefined so as to include within such corporate limits of the Town all the territory now within such corporate limits and also certain other additional and adjacent territory in said county, as follows:

West Half of Southwest Quarter, Section 29; Southeast Quarter and South Half of Northeast Quarter, Section 30; East Half of Section 31; Northwest Quarter of Northwest Quarter; South Half of North Half. and all of South Half, Section 32; South Half of North Half, and all of South Half, Section 33; Southwest Quarter of Southwest Quarter and North Half of South Half, Section 34; Township 11 North, Range 26 East. West Half of West Half, Section 3; all of Section 4; all of Section 5; Northeast Quarter of Northeast Quarter, Section 9; and North Half of North Half, Section 10; Township 10 North, Range 26 East.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BARBOUR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. Bertie G. Parish, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The Clayton Record, a newspaper of general circulation published in Barbour County, Alabama, and that the attached notice was published in said newspaper once a week for four seccessive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 8, May 15, May 22, and May 29, all in the year 1969.

MRS. BERTIE G. PARISH.

Sworn to and subscribed before me June 2, 1969.

MILTON CAMPBELL,
Notary Public.

By Mr. Neville:

H. 609. To provide under certain conditions for the assignment by the Governor of election observers at precincts or polling places in order to insure fairness; to provide for the status of such observers; and to require certain reports thereof.

State Administration.

By Mr. Lemley:

H. 610. Relating to counties having population of not less than 25,400 nor more than 26,000, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Local Legislation No. 1.

By Mr. Lemley (with notice and proof):

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Local Legislation No. 1.

Notice and Proof H. 611:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Blountsville in Blount County are hereby altered, rearranged, extended, and redefined so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other additional and adjacent territory in said county, as follows:

The E½ of the NE¼, Section 12;

The S½ of Section 12;

Section 13;

The E½ of the SE¼, Section 11;

The E¼ of Section 14;

The NE¼ of Section 24;

The E½ of NW¼, Section 4;

The E½ of SE¼, Section 24;

The E½ of NE¼, Section 25,

All in Township 11, South, Range 1 West, Blount County, Alabama.

Also,

The W½ of Section 7

The W½ of Section 18

The W½ of Section 19

The NW¼ of Section 30

All in Township 11 South, Range 1 East, Blount County, Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA,
BLOUNT COUNTY.

Personally appeared before the undersigned authority, Mrs. Rice M. Howard, who being duly sworn, deposes and says that she is the publisher of The Southern Democrat, a newspaper published in Oneonta, Alabama, and that the attached notice a bill to be entitled an act was published for four consecutive weeks in said newspaper, commencing on the 27th day of March, 1969, and ending on the 17th day of April, 1969.

MRS. R. M. HOWARD.
Publisher.

Sworn to and subscribed before me this 2nd day of June, 1969.

JANE HILL,
Notary Public.

By Messrs. Merrill and Lybrand:

H. 612. To amend Code of Alabama 1940, Title 30, Section 64, in order to authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Judiciary.

By Messrs. McCorquodale, Bank and Lemley:

H. 613. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

Conservation.

By Mr. McCorquodale:

H. 614. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags.

Ways and Means.

By Mr. McCorquodale:

H. 615. To amend Section 665 (1), as amended, Section 665 (2), as amended, Section 665 (3), as amended, Section 665 (4), Section 665 (5), and Section 665 (14), as amended of Title 51, Code of Alabama 1940; and to repeal laws in conflict therewith, specifically Section 665 (9), as amended, and Section 665 (10), as amended, of Title 51, Code of Alabama 1940; all relating to the tax levied on certain motor fuels; for the purpose of clarifying the provisions thereof; and to provide for a discount to be allowed persons reporting and paying the tax herein levied.

Ways and Means.

By Messrs. McCorquodale and Lemley:

H. 616. To make further provisions regarding the licensing of trucks and truck-tractors to allow proper credit and the quarterly declining basis under stated circumstances where a higher license than that previously issued is required for any fiscal or license year by change in gross vehicle weight allowance or in the use of the vehicle, to provide penalties for improper licensing, and to repeal all laws or parts of laws in conflict herewith.

Ways and Means.

By Mr. McCorquodale:

H. 617. To amend Code of Alabama, 1940, Title 51, Section 348, relating to the limitation of deductions to "capital employed" for franchise tax purposes.

Ways and Means.

By Messrs. McCorquodale and Lemley:

H. 618. To amend Section 13, Act No. 100, Second Special Session, Legislature 1959, which relates to the sales tax so as to combine notice of failure to make return and notice of assessment of the tax and to reduce the penalty provided for failure to make return from twenty-five percent to fifteen percent of the tax.

Ways and Means.

By Mr. McCorquodale:

H. 619. Relating to state revenue, levying and imposing additional privilege license taxes upon persons engaged in the business of renting or leasing tangible personal property to others in lieu of the sales tax on the withdrawal of tangible personal property, providing for enforcement of the act, and to repeal Act No. 692, Regular Session 1965, levying a similar tax.

Ways and Means.

By Mr. McCorquodale:

H. 620. Relating to state revenue, levying and imposing additional privilege license taxes upon persons engaged in the business of renting or leasing tangible personal property to others in lieu of the sales tax on the withdrawal of tangible personal property, providing for enforcement of the act, and to repeal Act No. 692, Regular Session 1965, levying a similar tax.

Ways and Means.

By Mr. Mathews:

H. 621. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Ways and Means.

By Messrs. Mathews and Springer:

H. 622. To make appropriations from the State Treasury for Capital improvements.

Ways and Means.

By Mr. Young:

H. 623. Counties with population 10,800 to 12,000;

Local Legislation No. 1.

By Messrs. Melton and Garrett (with notice and proof):

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

Local Legislation No. 1.

Notice and Proof H. 624:

STATE OF ALABAMA
COUNTY OF CONECUH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Conecuh County; providing further for the compensation of the deputy sheriff of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. In Conecuh County the chief deputy sheriff shall be paid a salary of not less than $550 per month and every other deputy shall receive a salary of not less than $500 per month. The exact amount of each of such salaries shall be fixed by the county governing body and shall be paid in equal installments from the general fund in the county treasury or any other funds available for such purpose according to law.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CONECUH

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. G. Bozeman, Jr., who, being be me first duly sworn, deposes and says that during the times herein

mentioned he was Editor-Publisher of the EVERGREEN COURANT, a newspaper of general circulation published in Conecuh County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 24, May 1, May 8, and May 15, all in the year 1969.

R. G. BOZEMAN, JR.

Sworn to and subscribed before me 15th of May, 1969.

HAROLD ADAMS,
Notary Public.

My commission expires April 7, 1973.

By Messrs. Burgess and Brown:

H. 625. To provide that all contracts of insurance or policies of insurance issued or delivered in this State shall cover and include the services of all Licensees of all branches of the Healing Arts in the State of Alabama.

Ways and Means.

By Mr. Steagall:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Steagall:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

Local Legislation No. 1.

By Mr. Blanton:

H. 628. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Merrill and Fite:

H. 629. To make an appropriation to the University of Alabama for the purchase of law library books in support of the Alabama Law Institute.

Ways and Means.

By Mr. Tuck (with notice and proof):

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Local Legislation No. 1.

Notice and Proof H. 630:

A BILL
TO BE ENTITLED
AN ACT

Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting deer, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting deer at night in Greene County shall be contraband and shall be forfeited to the State of Alabama. Such property may be seized by the Sheriff of the county or by any other officer or person acting under authority of law in the enforcement of laws of this state, and the Sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same or any interest therein if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances connected with the apprehension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in section one of this Act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in night hunting or that the hunter be apprehended in the actual act of killing deer but it shall suffice to prove possession upon the person or in any motor vehicle of such person of guns ammunition, and other equipment normally used in hunting deer and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting of deer.

Section 3. Except as otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of automobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the Game and Fish fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-10, 4-17, 4-24, and 5-1, all in the year 1969.

RICHARD K. MARTIN.

Sworn to and subscribed before me June 3, 1969.

GENEVA L. MATTISON,
Notary Public.

By Mr. Starnes:

H. 631. To amend Section 207 and Section 207 (1) of Milk Control Board Act, Title 22, Code of Alabama 1940 AS AMENDED by Act No. 497 of the Regular Session, 1961 and Act No. 466 of the Regular Session, 1965.

Agriculture.

By Mr. Starnes:

H. 632. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

Judiciary.

By Mr. Cherner:

H. 633. To provide for the legal possession of certain quantities of state tax-paid alcoholic beverages for private use in any county of this State; providing penalties for violations.

Health.

By Mr. Cherner:

H. 634. To authorize, provide for and regulate absentee voting in all primary, general, special and municipal elections; to prescribe who may cast absentee ballots, how absentee ballots must be voted, affidavits to be printed on absentee ballots and signed by persons of the several classes entitled to cast absentee ballots; the time when absentee ballots may be obtained, the form of applications therefor, the time when they must be returned and the manner of appointing and the number of election officials to canvass and make returns of absentee ballots cast in an election; to authorize voting of absentee ballots in

person in the county of the voters residence and the voting of such ballots by mail; to provide for furnishing ballots, stationery and other supplies for absentee voting; and to prescribe penalties for offenses relative to absentee ballots and voting.

Judiciary.

By Mr. House:

H. 635. To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts, 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinics operated by governing boards of instrumentalities of the State, counties and municipalities.

Ways and Means.

By Messrs. Ellis, Gloor, Lybrand, Bank, Robertson, Culver, Kilgore, Brown, Pennington, Jones, Grainger, Stubbs, Harris, Lemley, Fine, Young, Snell, Harper, Melton, Cameron, Hardin, Perloff, Downing, Burgess, Beck, Meade, McLain, Watkins, Holman, Weeks, Crane, Yeilding, Sessions, House, Drake and Smith:

H. 636. To amend Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25), relating to the speed of motor vehicles on the state highways, so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

Transportation.

By Messrs. Ellis, Collins (W) and Owens (W):

H. 637. Providing for qualified State Highway Department employees to obtain a Master's Degree in Traffic and/or Transportation Engineering.

Judiciary.

By Messrs. Ellis, Collins (W) and Owens (W):

H. 638. To encourage and promote the development of traffic engineering for the safe, convenient and economical movement of people and goods on public highways and streets; to provide for the employment of a staff of traffic engineers within the Highway Department; and to provide for a traffic engineering planning and implementation program for the counties, cities and towns.

Judiciary.

By Mr. Cook (Jefferson):

H. 639. To prohibit the use of parking lights on motor vehicles except when the vehicle is stationary.

Judiciary.

By Mr. Cook (Jefferson):

H. 640. To prohibit parking, stopping or standing on interstate and limited access highways.

Judiciary.

By Mr. Cook (Jefferson):

H. 641. To prohibit the use of Interstate and limited access highways by pedestrians, bicycles, motor driven cycles, animal drawn vehicles and persons riding animals.

Judiciary.

By Mr. Fine:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

Local Legislation No. 1.

By Mr. Hill:

H. 643. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

Ways and Means.

By Messrs. Hill and Graham:

H. 644. Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

Judiciary.

By Mr. McLain:

H. 645. To recognize the principle of home rule and local self-government and to authorize incorporated municipalities to adopt, by ordinance, competitive purchase practices; to exempt municipalities from the provisions of Act No. 217, S. 23, Page 259, Volume 1, Acts of Alabama 1967, upon adoption of ordinances establishing local competitive bid practices.

Judiciary.

By Mr. McLain:

H. 646. To amend further Section 793, Title 37, Code of Alabama 1940, as amended, so as to authorize the governing body of any incorporated municipality to hold public hearings in zoning matters and to require certification of plans to the county recorder or probate judge of plans approved.

Local Government.

By Mr. McLain:

H. 647. To authorize incorporated municipalities to require that persons, firms, associations or corporations obtain prior consent to use or expand the present use of the streets, avenues, alleys, or public places within the police jurisdiction of such incorporated municipalities for the construction or operation or expansion of any public utility or private enterprise; to authorize the granting of franchises for such use.

Local Government.

By Messrs. McLain and Grainger:

H. 648. To authorize municipal corporations to adopt ordinances making it unlawful to transmit or send false calls for ambulances and false fire alarms; establishing penalties therefor; authorizing Recorders to fix punishment for violations thereof.

Local Government.

By Messrs. Pennington, Holladay and Bank:

H. 649. To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in order to provide further for registration of physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

Health.

By Mr. Berryman (R) (with notice and proof):

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Local Legislation No. 1.

Notice and Proof H. 650:

STATE OF ALABAMA
COUNTY OF LAWRENCE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Town Creek in Lawrence County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, a tract of land more particularly described as follows:

That land east of and adjacent to the present corporate limits of the town and lying along each side of Alabama highway number 20 for a distance of one-half mile and extending south of such highway for a distance of one-fourth mile and north of such highway to the right-of-way of the Southern Railroad.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner, Publisher of the Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on May 8, May 15, May 22, and May 29, all in the year 1969.

ARTHUR F. SLATON.

Sworn to and subscribed before me May 30, 1969.

LeRUTH G. SLATON,
Notary Public.

4-15-70

By Mr. Berryman (R):

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

Local Legislation No. 1.

By Mr. Drake:

H. 652. To make an appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act.

Ways and Means.

By Messrs. Downing and Graham:

H. 653. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

Business and Labor.

By Messrs. Downing, Grayson and Nettles:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, be resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Local Legislation No. 3.

By Mr. Nettles:

H. 655. To amend further the Code of Alabama, 1940, Title 22, Section 223, as amended, which pertains to "ORDERS FIXING PRICES AND HANDLING CHARGES FOR MILK", so as to provide that the milk control board shall not be authorized to fix the price of milk sold wholesale or retail, except in certain instances.

Agriculture.

By Mr. Nettles:

H. 656. To amend further Code of Alabama, 1940, Title 22, Sections 207 and 207 (1), as amended, which pertain to the "MILK CONTROL BOARD" and "HOW MEMBERS SELECTED", so as to provide that the milk control board shall consist of seven members, being one wholesale producer, one distributor, one retail licensee, three consumers, and the Commissioner of Agriculture and Industry.

Agriculture.

By Mr. Perloff:

H. 657. Relating to cities having populations of not less than 35,000 nor more than 55,000, according to the most recent federal decennial census; authorizing and providing for an increase in the board of directors of certain public utility systems in such cities.

Local Legislation No. 3.

By Messrs. McElhaney, Hobbie, Springer, Harris and Cameron:

H. 658. To protect the public health and to conserve and protect the water resources of the state by classifying all public water supply systems and wastewater treatment plants in this state and by requiring the examination of operators and certification of their competency to supervise the operation of such facilities; and to create and provide for a board of certification for such purpose.

Health.

By Messrs. Springer, Cameron, Hobbie, Harris and McElhaney:

H. 659. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabitants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Four Thousand Two Hundred and No/100 (4,200.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and No/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Local Legislation No. 4.

By Messrs. Hobbie, Cameron, Harris, McElhaney and Springer:

H. 660. Relating to state revenue; exempting from the sales tax levied by Section 2 (b), Act No. 100, Second Special Session 1959, the gross proceeds from the sales tax levied by Section 2 (b), Act No. 100, Second Special Session 1959, the gross proceeds from sales of admissions to and other sales in connection with the annual Shrine football game in Montgomery, the proceeds of which are devoted to the Crippled Children's Hospital.

Agriculture.

By Messrs. Hobbie, McElhaney, Cameron and Grayson:

H. 661. To amend further Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955) an act regulating the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology, so as to regulate the qualifications prerequisite to admittance to examinations and licensing under this act.

Agriculture.

By Messrs. Bassett and Hardin (with notice and proof):

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Local Legislation No. 1.

Notice and Proof H. 662:

NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Section 1: From and after the effective date of this Act each candidate for the office County Commissioner of Pike County at the time of his qualification as a candidate for such office shall reside in and be a qualified elector of the district he is a candidate to represent; but all County Commissioners shall be elected by the qualified electors of the county at large.

Section 2: All laws and parts of laws and laws in conflict with the provisions of this act are to the extent of the conflict repealed.

Section 3: This act shall become effective immediately upon its passage and its approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA,
PIKE COUNTY

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn, deposes and says on oath, that he is the Business Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill to be Entitled An Act Election County Commissioners was published in said newspaper 4 times, the same appearing in the issues dated: May 12, 19, 26, June 2.

ROBERT L. WINEBARGER.
Business Manager.

Sworn to and subscribed before me this the 2 day of June 1969.

MAURINE BRYAN,
Notary Public.
Pike County, Ala.

By Mr. Young:

H. 663. Counties with population 19,000 to 19,500.

Local Legislation No. 1.

By Mr. Stubbs (with notice and proof):

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Local Legislation No. 1.

Notice and Proof H. 664:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied

Be It Enacted by the Legislature of Alabama:

Section 1. The following words, when used in this Act shall have the meaning ascribed to them below, unless the context clearly indicates a different meaning:

"Person" includes any corporation as well as a natural person.

"Gasoline" means any type of gasoline, naptha, or other liquid motor fuel, or any device or substitute therefor, commonly used in internal combusion engines.

"Diesel fuel" means any type diesel oil, tractor fuel, gas oil, distillate or liquified gas, or any device or substitute therefor.

Section 2. In addition to all other taxes and licenses, there is hereby levied upon every distributor, refiner, retail dealer or storer of gasoline of diesel fuel in Shelby County, Alabama, an excise tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County for any use, gasoline, or diesel fuel as defined by this Act; provided, the tax shall not be levied or paid on the sale of gasoline, or diesel fuel in the interstate commerce or to the Government of the United States or its agencies, or direct to the State of Alabama. When the tax levied herein shall have been paid by a distributor, refiner, retail dealer or storer, such payment shall be sufficient, the intention being that the tax shall be paid but once. The tax shall not be levied or paid on gasoline or diesel fuel which is withdrawn from storage within Shelby County for delivery only to a point or points outside the county, when the distributor or seller of such gaso-

line, or diesel fuel prepares and files with the governing body of Shelby County written statements sworn to and subscribed, in such form as may be required by the county governing body, showing the name and address of the person to whom the gasoline, or diesel fuel is or has been delivered by the distributor; the volume and kind of such gasoline, or diesel fuel; the dates of such withdrawals; and the point or points outside the county to which such gasoline, or diesel fuel is delivered or is to be delivered.

Section 3. On or before the twentieth day of each month after this Act shall have become effective, every person upon whom the tax levied herein is imposed shall render to the governing body of Shelby County, on forms prescribed by the county governing body, a true and correct statement of all sales and withdrawals of gasoline, or diesel fuel liable for payment of the tax imposed by this Act made by him or them during the next preceding month; shall furnish to the county governing body such additional information as the county governing body may require upon blanks to be formulated and furnished by the county governing body; and, at the time of making such report, shall pay to the county governing body; the tax levied by this Act upon such sales and withdrawals. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths. Any willfully false statement sworn to shall constitute perjury, and upon conviction thereof the person so convicted shall be punished as provided by law.

Section 4. All distributors, storers or retail dealers shall keep for not less than two years within the State of Alabama at some certain place or office such books, documents, or papers, as will clearly show the amount of sales or withdrawals of gasoline, or diesel fuel made in Shelby County and subject to the tax levied by this Act.

Section 5. Within 30 days after this Act shall have become effective, every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline, or diesel fuel in Shelby County shall make a report on blanks furnished under Section 3 hereof to the governing body of the county, showing the place and post office address at which his business of distributor or storer or retail dealer in gasoline, or diesel fuel is located in the county, which information shall be entered by the county governing body on a book kept for that purpose, and should such distributor, storer, or retail dealer move his place of business from one business address to another, such distributor, storer or retail dealer shall within thirty days thereafter notify the county governing body of such removal, giving the former place and post office address and also the place and post office address to which his place of business has been removed. After the passage of this Act, no person shall become a distributor, storer or retail dealer of gasoline, or diesel fuel in Shelby County until he shall have made such report to the county governing body.

Section 6. If any distributor, storer or retail dealer in gasoline, or diesel fuel in Shelby County willfully fails to make any report required by the provisions of this Act, or willfully fails to comply with any lawful regulation adopted by the county governing body for the collection of the tax, or willfully fails to make any report within the time prescribed, or willfully fails to pay the tax imposed within the time fixed for the payment thereof, such distributor, storer or retail dealer shall be guilty of a misdemeanor, and upon the conviction thereof shall be fined not less than fifty dollars nor more than three hundred dollars for each offense.

Section 7. It shall be the duty of the court of county commissioners, board of revenue, or like governing body of Shelby County to enforce the provisions of this Act, and to make any and all rules and regulations

necessary and proper for the collection of the tax levied herein. The county governing body or any member thereof or its agents shall have the right to examine the books, report, and accounts of every distributor, storer or retail dealer of gasoline, or diesel fuel subject to such tax.

Section 8. If any distributor, storer or retail dealer in gasoline, or diesel fuel wilfully fails to make monthly reports or fails to pay the tax imposed under the authority of this Act, the tax shall be deemed delinquent within the meaning of this Act, and there shall be added to the amount of his tax a penalty of twenty-five percent; provided, however, that if in the opinion of the county governing body a good and sufficient cause and reason is shown for such delinquency, the penalty may be remitted. The county governing body is hereby authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to that the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed by this Act, the county governing body shall issue execution for the collection of the same, directed to any sheriff of the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the county tax collector, and make return of such execution to the governing body issuing the same. The tax levied by this Act and the penalty herein provided for shall be held as a debt payable to the county by the person against whom the same shall have been imposed or against whom the penalties shall have accrued; and all such taxes and penalties shall be a lien upon the property in said county and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued.

Section 9. The acceptance of any amount paid for the excise tax levied by this Act shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

Section 10. Each agent of any railroad company, bus, or truck operator, or other transportation company or agency operating in Shelby County shall report to the county governing body on the first day of October, January, April, and July of each year all shipments of gasoline, or diesel fuel as defined in this Act handled by him or through the station or office which he is an agent, and delivered to any person in Shelby county, Alabama, during the preceding three months, giving the names and addresses of the consignor and consignee shipping and receiving gasoline, or diesel fuel and the number of gallons or pounds contained in each and every shipment.

Section 11. The proceeds of the tax levied by this Act shall be paid into the Gasoline Fund of the Shelby County Board of Revenue and Control and shall be used exclusively for road construction and road maintenance in Shelby County.

Section 12. Gasoline or diesel fuel used for agricultural or industrial purposes and not used to propel motor vehicles upon the public highways of this county is hereby exempt from the levy of tax contained herein and such exemption may be claimed and refund of any such tax paid for such fuel so used shall be made by the Shelby County Board of Revenue and Control in accordance with regulations adopted by said Board and relating to existing State laws providing for refund of such exempt tax. Fuel used for domestic or commercial heating purposes is hereby exempt from the operation of this tax.

Section 13. This Act shall become effective only after passage by the Legislature of the State of Alabama, approval by the Governor, and approval by a majority of the electors participating in a special election to be held in Shelby County on the first Tuesday after the expiration of

thirty days after the approval of this Act by the Governor of the State of Alabama. The special election shall be called by the Shelby County Board of Revenue and Control after giving due notice by publication for one week of such election as is provided by law.

Following said special election and in the event of the approval of this tax by the majority of the electors participating therein, this Act shall become effective on the first day or the fifteenth day of the next following month as may be determined by the Shelby County Board of Revenue and Control.

Section 14. The governing body of Shelby County shall be charged with the duty of enforcing the provisions of this Act.

Section 15. Should any section paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section 16. All laws or parts of laws in conflict with this Act are hereby repealed.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 1, 8, 15, 22, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 23 day of May, 1969.

C. M. FOWLER,
Judge of Probate.

By Messrs. Robertson, Bank, Culver and Brown (with notice and proof):

H. 665. Relating to Tuscaloosa County; providing that all drugs and medicines purchased by prescription shall be exempt from the operation of the Tuscaloosa County sales and use tax law, Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as amended.

Local Legislation No. 1.

Notice and Proof H. 665:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County; providing that all drugs and medicines purchased by prescription shall be exempt from the operation of the Tuscaloosa County sales and use tax law, Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as amended.

Section 1. The gross proceeds of the sale or sales of all drugs and medicines prescribed by physicians for either internal or external use and purchased by prescription order or orders filled by licensed pharmacists shall be exempted from the computation of the amount of the tax levied, assessed or payable under the provisions of the Tuscaloosa County sales and use tax law, Act No. 56, H. 285, Regular Session 1953 (Acts 1953, p. 76), as amended. The exemptions provided in this act shall not apply to any drugs or medicines purchased in the county in any manner other than as herein provided.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Feb. 27, March 6, March 13, and Feb. 20, all in the year 1969.

KARL ELEBASH, JR.

Sworn to and subscribed before me March 13, 1969.

LULLENE DUBOSE,
Notary Public.

By Messrs. Brown, Culver, Ellis, Robertson, Holman, Smith and Bank:

H. 666. To authorize and provide for a commercial fisherman's helper for certain such fishermen; to provide for the issuance of permits to such helpers; to prescribe the fees for such permits; to provide for their collection and distribution; and to prescribe penalties for violations of this act.

Conservation.

By Messrs. Culver, Robertson, Bank and Brown:

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Local Legislation No. 1.

By Messrs. Agee, Brannan, Mays, Turnham, Tuck, Ellis, Shumate, Dobbs, Owen (Baldwin), McCorquodale, Snell, Brassell, Cook (Coffee), Edington and Cherner:

H. 668. To make a supplemental appropriation to the Alabama Historical Commission for the purchase of land at Old St. Stephens in Washington County.

Ways and Means.

By Messrs. Neville and Paulk:

H. 669. Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Local Legislation No. 1.

By Mr. Collins (W):

H. 670. TO AMEND Section 647 of Title 51, Code of Alabama of 1940, to provide for the substitution of the normal Sales and Use Tax for the .07c per gallon tax levied by said Section, on gasoline used solely for the fixed and static testing of engines manufactured or re-manufactured in the State of Alabama.

Ways and Means.

By Messrs. Manley and Crane:

H. 671. To amend Code of Alabama 1940, Title 52, Section 176, so as to authorize city schools to solicit and receive voluntary contributions.

Ways and Means.

By Mr. Hobbie:

H. 672. To amend Section 17 of Title 19 of the Code of Alabama of 1940 relating to appeals to Circuit Court from the order of condemnation.

Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Bank, Robertson, Culver and Brown:

H. J. R. 34. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body notes with profound regret the recent death of Mr. Claude Taylor, Jr., a highly esteemed citizen of Tuscaloosa, an outstanding golfer and athlete whose high sense of fair play was evident not only in his athletic competitions but in all his many civic, business and social dealings with his fellowman. The two houses of the Legislature unite in honoring Mr. Taylor and extending sympathy to his family.

On motion of Mr. Bank, the rules were suspended and H. J. R. 34 was adopted.

Also:

By Messrs. Bank, Culver, Robertson and Brown:

H. J. R. 35. WHEREAS Mr. Charles Davis, Sr., an outstanding businessman and civic leader of Tuscaloosa who for many years contributed immeasurably to the growth and development of Tuscaloosa County and the City of Tuscaloosa has recently died, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we mourn the passing of this outstanding citizen of our State and hereby extend our sincere sympathy to the surviving members of his family.

On motion of Mr. Bank, the rules were suspended and H. J. R. 35 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Drake to adjourn until 11 o'clock A. M., Wednesday, June 4, 1969, was lost.

Yeas 21; Nays 56.

Yeas:

Mr. Speaker	Hain	Merrill	Shumate
Adwell	Kilgore	Neville	Starnes
Brannan	Mays	Owen (Baldwin)	Stembridge
Brown	Meade	Paulk	Weeks
Drake	Melton	Pruitt	Williams
Fine			—21

Nays:

Messrs.:	Ellis	Lemley	Sessions
Agee	Garrett	Lybrand	Slate
Bank	Gloor	Lyons	Smith
Bassett	Graham	Malone	Snell
Brassell	Grainger	Manley	Steagall
Cameron	Grayson	Marr	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collins (C)	Harris	Meeks	Turnham
Cook (Jefferson)	Hobbie	Money	Waggoner
Crane	Holladay	Nettles	Watkins
Culver	House	Pearson	Wood
Dill	Jackson (F)	Pennington	Wright
Dobbs	Jackson (T)	Perloff	Yeilding
Downing	Jones	Robertson	Young
Edington			—56

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 1. Eulogizing the memory of Former Governor Lurleen B. Wallace on the first anniversary of her death.

Also:

H. J. R. 3. Appointing a committee to notify the Governor that the Legislature is ready for the transaction of business.

Also:

H. J. R. 4. Relative to retaining clerical personnel during the two weeks recess.

Also:

H. J. R. 5. Designating the Armory at Arab, Alabama, "Fort Wilbur F. Fowler".

Also:

H. J. R. 6. Relative to two weeks recess for the Legislature.

Also:

H. J. R. 7. Congratulating Mrs. Jerrie Lybrand upon being selected for the Distinguished Young Woman Award by the Anniston Jaycettes.

Also:

H. J. R. 8. Inviting Honorable Lewis E. McCray, National Vice Commander of the American Legion, to address the Legislature on behalf of the veterans of Alabama and the American Legion.

Also:

H. J. R. 10. Relative to requesting the Attorney General of the United States to review Alabama voting laws in connection with the VOTING RIGHTS ACT OF 1965.

Also:

H. J. R. 11. Commending Montgomery firemen and the Montgomery Fire Fighters Association for their generous efforts in the drive for contributions to the Lurleen B. Wallace Courage Crusade.

Also:

H. J. R. 12. Expressing regret upon the death of Dr. John T. Sheppard of Gadsden and extending sympathy to his family.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 14. Commending Dr. Samuel Richardson Hill, Vice President for Health Affairs at the University of Alabama Medical Center, and his staff.

Also:

H. J. R. 15. Commending Colonel Floyd Mann, Director of Public Safety, for his tireless and devoted service to the citizens of Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 24. Further regulating reports and returns relative to the Alabama sales and use taxes; requiring the makers of such reports and returns to show thereon, separately by county, the total amount of their taxable business done in all counties in this State having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census.

Was again taken up for consideration.

The question was on the amendment offered by Mr. Cook (Jefferson), which amendment was as follows:

Amend the title of H. B. 24 by deleting the period "." at the end of said title and substituting in lieu thereof in words and figures as follows:

"provided, however, the provisions of this Act shall impose no duties or obligations upon any person not within a county to which this Act applies."

Further amend H. B. 24 by adding as the last sentence of Section 1. as follows:

"The provisions of this Act shall impose no duties or obligations upon any person not within a county to which this Act applies."

On motion of Mr. McCorquodale, the bill, H. 24, was carried over to the Eighth Legislative Day without losing its place on the calendar.

BILLS ON THIRD READING

And the bill:

H. 25. To grant certain exemptions from local sales and use taxes to residents of all counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to regulate the manner of claiming such exemptions and of reporting and paying the local sales and use taxes when sales hereby exempted from such local taxes have been made.

Was taken up.

Mr. Cook (Jefferson) offered the following amendment to the bill, H. 25:

Amend the title of H. B. 25 by adding the following words and figures to said title:

"Provided however, the provisions of this Act shall not apply in all counties having a population of less than 25,700 nor in counties having a population in excess of 25,900 according to the most recent federal decennial census."

Also amend H. B. 25 by adding Section 5. (a), which section shall read as follows:

"Section 5. (a) The provisions of this Act shall not apply in all counties having a population of less than 25,700 nor in counties having a population in excess of 25,900 according to the most recent federal decennial census."

On motion of Mr. McCorquodale, the said bill, H. 25, and the pending amendment, were carried over to the Eighth Legislative Day without losing its place on the calendar.

BILLS ON THIRD READING

And the bill:

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Adwell	Downing	Jackson (T)	Pennington
Agee	Drake	Kilgore	Perloff
Bank	Edington	Laxson	Pruitt
Bassett	Ellis	Lemley	Robertson
Beck	Fine	Lybrand	Sessions
Berryman (R)	Foshee	Lyons	Shumate
Berryman (W)	Garrett	Malone	Slate
Blanton	Graham	Manley	Smith
Bolton	Grainger	Mays	Snell
Bowers	Hain	McCorquodale	Starnes
Brannan	Hardin	McElhaney	Steagall
Brassell	Harper	McLain	Stubbs
Burgreen	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Waggoner
Collier	Headley	Melton	Weeks
Collins (C)	Higginbotham	Merrill	Williams
Cook (Coffee)	Hill	Nettles	Wood
Cook (Jefferson)	Hobbie	Neville	Wright
Crane	Holladay	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	Young
Dill	House	Paulk	

—87

And the bill:

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Cook (Coffee)
Adwell	Blanton	Burgreen	Crane
Agee	Bolton	Cameron	Culver
Bank	Bowers	Cherner	Dill
Bassett	Brannan	Collier	Dobbs
Beck	Brassell	Collins (C)	Doss

Downing	Higginbotham	McCorquodale	Robertson
Drake	Hill	McElhaney	Sessions
Edington	Hobbie	McLain	Shumate
Ellis	Holladay	Meade	Smith
Fine	Holman	Meeks	Snell
Foshee	House	Melton	Starnes
Gafford	Jackson (F)	Merrill	Steagall
Garrett	Jackson (T)	Nettles	Stubbs
Gloor	Kilgore	Neville	Tuck
Grainger	Laxson	Owen (Baldwin)	Turnham
Grayson	Lemley	Owens (W)	Waggoner
Hain	Lybrand	Paulk	Weeks
Hardin	Lyons	Pearson	Williams
Harper	Malone	Pennington	Wright
Harris	Manley	Perloff	Yeilding
Haygood	Mays	Pruitt	Young
Headley			

—89

And the bill:

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owens (W)
Adwell	Doss	House	Paulk
Agee	Downing	Jackson (F)	Pearson
Bank	Drake	Jackson (T)	Pennington
Bassett	Edington	Kilgore	Perloff
Beck	Ellis	Laxson	Pruitt
Berryman (W)	Fine	Lemley	Robertson
Blanton	Foshee	Lybrand	Sessions
Bolton	Gafford	Lyons	Shumate
Bowers	Garrett	Malone	Smith
Brannan	Graham	Manley	Starnes
Brassell	Grainger	Mays	Steagall
Brown	Grayson	McCorquodale	Stubbs
Burgreen	Hain	McElhaney	Tuck
Cameron	Hardin	McLain	Turnham
Cherner	Harper	Meade	Waggoner
Collier	Harris	Meeks	Weeks
Collins (C)	Haygood	Melton	Williams
Cook (Coffee)	Headley	Merrill	Wood
Cook (Jefferson)	Higginbotham	Nettles	Wright
Crane	Hill	Neville	Yeilding
Culver	Hobbie	Owen (Baldwin)	Young
Dill	Holladay		

—90

And the bill:

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holladay	Owens (W)
Adwell	Doss	Holman	Paulk
Agee	Downing	House	Pearson
Bassett	Drake	Jackson (F)	Pennington
Beck	Edington	Jackson (T)	Perloff
Berryman (R)	Ellis	Kilgore	Pruitt
Berryman (W)	Fine	Laxson	Robertson
Blanton	Foshee	Lemley	Sessions
Bolton	Gafford	Lybrand	Shumate
Bowers	Garrett	Lyons	Smith
Brannan	Gloor	Malone	Snell
Brassell	Graham	Manley	Starnes
Brown	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stubbs
Cameron	Hain	McElhaney	Tuck
Cherner	Hardin	McLain	Turnham
Collier	Harper	Meade	Waggoner
Collins (C)	Harris	Meeks	Weeks
Cook (Coffee)	Haygood	Melton	Williams
Cook (Jefferson)	Headley	Merrill	Wood
Crane	Higginbotham	Nettles	Wright
Culver	Hill	Neville	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young

—92

And the bill:

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Paulk
Adwell	Downing	Jackson (F)	Pearson
Agee	Drake	Jackson (T)	Pennington
Bassett	Edington	Kilgore	Perloff
Beck	Ellis	Laxson	Pruitt
Berryman (R)	Fine	Lemley	Robertson
Berryman (W)	Foshee	Lybrand	Sessions
Blanton	Gafford	Lyons	Shumate
Bolton	Garrett	Malone	Smith
Bowers	Gloor	Manley	Snell
Brannan	Graham	Marr	Starnes
Brassell	Grainger	Mays	Steagall
Brown	Grayson	McCorquodale	Stubbs
Burgreen	Hardin	McElhaney	Tuck
Cherner	Harper	McLain	Turnham
Collier	Harris	Meade	Waggoner
Collins (C)	Haygood	Meeks	Weeks
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Higginbotham	Merrill	Wood
Crane	Hill	Nettles	Wright
Culver	Hobbie	Neville	Yeilding
Dill	Holladay	Owen (Baldwin)	Young
Dobbs	Holman	Owens (W)	

—91

And the bill:

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Paulk
Adwell	Drake	Jackson (F)	Pearson
Agee	Edington	Jackson (T)	Pennington
Bassett	Ellis	Kilgore	Perloff
Beck	Fine	Laxson	Pruitt
Berryman (R)	Foshee	Lemley	Sessions
Berryman (W)	Gafford	Lybrand	Shumate
Blanton	Garrett	Lyons	Slate
Bolton	Gloor	Malone	Smith
Bowers	Graham	Manley	Snell
Brannan	Grainger	Marr	Starnes
Brassell	Grayson	Mays	Steagall
Burgreen	Hain	McCorquodale	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Waggoner
Collins (W)	Haygood	Meeks	Weeks
Cook (Coffee)	Headley	Melton	Williams
Crane	Higginbotham	Merrill	Wood
Culver	Hill	Nettles	Wright
Dill	Hobbie	Neville	Yeilding
Dobbs	Holladay	Owen (Baldwin)	Young
Doss	Holman	Owens (W)	—91

And the bill:

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Collier	Gafford	Holladay
Adwell	Collins (C)	Garrett	Holman
Agee	Collins (W)	Gloor	House
Bassett	Cook (Coffee)	Graham	Jackson (F)
Beck	Crane	Grainger	Jackson (T)
Berryman (R)	Culver	Grayson	Kilgore
Berryman (W)	Dill	Hain	Laxson
Blanton	Dobbs	Hardin	Lemley
Bolton	Doss	Harper	Lybrand
Bowers	Downing	Harris	Lyons
Brannan	Drake	Haygood	Malone
Brassell	Edington	Headley	Manley
Brown	Ellis	Higginbotham	Marr
Burgreen	Fine	Hill	Mays
Cherner	Foshee	Hobbie	McCorquodale

McElhaney	Owens (W)	Shumate	Turnham
McLain	Paulk	Slate	Waggoner
Meade	Pearson	Smith	Weeks
Meeks	Pennington	Snell	Williams
Melton	Perloff	Starnes	Wood
Merrill	Pruitt	Steagall	Wright
Nettles	Robertson	Stubbs	Yeilding
Neville	Sessions	Tuck	Young
Owen (Baldwin)			—93

And the bill:

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Paulk
Adwell	Doss	House	Pearson
Agee	Downing	Jackson (T)	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Laxson	Pruitt
Berryman (R)	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Starnes
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hain	McLain	Tuck
Cherner	Hardin	Meade	Turnham
Collier	Harper	Meeks	Waggoner
Collins (C)	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Cook (Coffee)	Headley	Nettles	Wood
Cook (Jefferson)	Higginbotham	Neville	Wright
Crane	Hill	Owen (Baldwin)	Yeilding
Culver	Hobbie	Owens (W)	Young
Dill	Holladay		—94

And the bill:

H. 75. To provide for the compensation of jurors in Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Bolton	Collier	Dobbs
Adwell	Bowers	Collins (C)	Doss
Agee	Brannan	Collins (W)	Downing
Bassett	Brassell	Cook (Coffee)	Drake
Beck	Brown	Cook (Jefferson)	Edington
Berryman (R)	Burgess	Crane	Ellis
Berryman (W)	Burgreen	Culver	Fine
Blanton	Cherner	Dill	Foshee

Gafford	Holman	Meade	Slate
Garrett	House	Meeks	Smith
Gloor	Jackson (F)	Melton	Snell
Graham	Jackson (T)	Merrill	Starnes
Grainger	Kilgore	Nettles	Steagall
Grayson	Laxson	Neville	Stubbs
Hain	Lemley	Owen (Baldwin)	Tuck
Hardin	Lybrand	Owens (W)	Turnham
Harper	Lyons	Paulk	Waggoner
Harris	Malone	Pearson	Weeks
Haygood	Manley	Pennington	Williams
Headley	Marr	Perloff	Wood
Higginbotham	Mays	Pruitt	Wright
Hill	McCorquodale	Robertson	Yeilding
Hobbie	McElhaney	Sessions	Young
Holladay	McLain	Shumate	—95

And the bill:

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holladay	Paulk
Adwell	Doss	Holman	Pearson
Agee	Downing	Jackson (F)	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Laxson	Pruitt
Berryman (R)	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Gafford	Malone	Slate
Brannan	Garrett	Manley	Smith
Brassell	Gloor	Marr	Snell
Brown	Graham	Mays	Starnes
Burgess	Grainger	McCorquodale	Steagall
Burgreen	Grayson	McElhaney	Stubbs
Cherner	Hain	McLain	Tuck
Collier	Hardin	Meade	Turnham
Collins (C)	Harper	Meeks	Waggoner
Collins (W)	Harris	Melton	Weeks
Cook (Coffee)	Haygood	Merrill	Williams
Cook (Jefferson)	Headley	Nettles	Wood
Crane	Higginbotham	Neville	Yeilding
Culver	Hill	Owen (Baldwin)	Young
Dill	Hobbie	Owens (W)	—91

And the bill:

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Pearson
Adwell	Downing	Kilgore	Pennington
Agee	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (R)	Fine	Lyons	Sessions
Berryman (W)	Foshee	Malone	Shumate
Blanton	Gafford	Manley	Slate
Bolton	Garrett	Marr	Smith
Brannan	Gloor	Mays	Snell
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McElhaney	Steagall
Burgess	Hain	McLain	Stubbs
Burgreen	Hardin	Meade	Tuck
Cherner	Harper	Meeks	Turnham
Collier	Haygood	Melton	Waggoner
Collins (C)	Headley	Merrill	Weeks
Collins (W)	Higginbotham	Nettles	Williams
Cook (Coffee)	Hill	Neville	Wood
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wright
Crane	Holladay	Owens (W)	Yeilding
Dill	Holman	Paulk	Young
Dobbs	House		

—90

And the bill:

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Paulk
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jackson (T)	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Laxson	Pruitt
Berryman (R)	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Starnes
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hain	McLain	Tuck
Cherner	Hardin	Meade	Turnham
Collier	Harper	Meeks	Waggoner
Collins (C)	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Cook (Coffee)	Headley	Nettles	Wood
Cook (Jefferson)	Higginbotham	Neville	Wright
Crane	Hill	Owen (Baldwin)	Yeilding
Culver	Hobbie	Owens (W)	Young
Dill	Holman		

—94

And the bill:

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Was taken up.

Mr. Holladay offered the following amendment to the bill, H. 159:

Amend Section 1 of H. B. No. 159 by striking Section 1 in its entirety and substituting in lieu thereof the following:

"Section 1. The chief deputy sheriff of St. Clair County shall receive a salary of Six Thousand ($6,000.00) Dollars per annum. The other deputies now serving in the office of the sheriff of St. Clair County shall each receive a salary of Five Thousand Four Hundred ($5,400.00) Dollars per annum. Any deputy which may hereafter be employed shall receive a salary of not less than Four Thousand Two Hundred ($4,200.00) Dollars per annum and not more than Five Thousand Four Hundred ($5,400.00) Dollars per annum to be fixed by Commissioner's Court or other governing body of said county. The salaries of the chief deputy and the other deputies shall be paid in equal monthly installments out of the general fund of the county."

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pearson
Adwell	Downing	Kilgore	Pennington
Agee	Drake	Laxson	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (R)	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Malone	Slate
Bowers	Gafford	Manley	Smith
Brannan	Garrett	Marr	Snell
Brassell	Gloor	Mays	Starnes
Brown	Graham	McCorquodale	Steagall
Burgess	Grainger	McElhaney	Stembridge
Burgreen	Grayson	McLain	Stubbs
Cherner	Hain	Meade	Tuck
Collier	Harper	Meeks	Turnham
Collins (C)	Harris	Melton	Waggoner
Collins (W)	Haygood	Merrill	Weeks
Cook (Coffee)	Headley	Nettles	Williams
Cook (Jefferson)	Higginbotham	Neville	Wood
Crane	Hill	Owen (Baldwin)	Wright
Culver	Hobbie	Owens (W)	Yeilding
Dill	Holman	Paulk	Young
Dobbs	Jackson (F)		—90

And the bill, H. 159, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Pearson
Adwell	Downing	Jackson (F)	Pennington
Agee	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (R)	Fine	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Slate
Blanton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Gloor	Marr	Starnes
Brown	Graham	Mays	Steagall
Burgess	Grainger	McCorquodale	Stembridge
Burgreen	Grayson	McElhaney	Stubbs
Cherner	Hain	McLain	Tuck
Collier	Hardin	Meade	Turnham
Collins (C)	Harper	Meeks	Waggoner
Collins (W)	Harris	Melton	Weeks
Cook (Coffee)	Haygood	Merrill	Williams
Cook (Jefferson)	Headley	Nettles	Wood
Crane	Higginbotham	Neville	Wright
Culver	Hill	Owen (Baldwin)	Yeilding
Dill	Hobbie	Paulk	Young
Dobbs	Holman		—90

And the bill:

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Paulk
Agee	Downing	Jackson (F)	Pearson
Bassett	Drake	Jackson (T)	Pennington
Beck	Edington	Kilgore	Perloff
Berryman (R)	Ellis	Laxson	Pruitt
Berryman (W)	Fine	Lemley	Robertson
Blanton	Foshee	Lybrand	Sessions
Bowers	Gafford	Lyons	Smith
Brannan	Garrett	Malone	Snell
Brassell	Gloor	Manley	Starnes
Brown	Graham	Marr	Steagall
Burgess	Grainger	Mays	Stembridge
Burgreen	Grayson	McCorquodale	Stubbs
Cherner	Hain	McElhaney	Tuck
Collier	Hardin	McLain	Turnham
Collins (C)	Harper	Meade	Waggoner
Collins (W)	Harris	Meeks	Weeks
Cook (Coffee)	Haygood	Melton	Williams
Cook (Jefferson)	Headley	Merrill	Wood
Crane	Higginbotham	Nettles	Wright
Culver	Hill	Neville	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young
Dobbs	Holman	Owens (W)	—91

And the bill:

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Was taken up.

On motion of Mr. Holladay, the bill, H. 161, was carried over temporarily.

And the bill:

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Owen (Baldwin)
Adwell	Dobbs	Holladay	Owens (W)
Agee	Doss	Holman	Paulk
Bassett	Downing	House	Pearson
Beck	Drake	Jackson (F)	Pennington
Berryman (R)	Edington	Jackson (T)	Perloff
Berryman (W)	Ellis	Kilgore	Sessions
Blanton	Fine	Laxson	Smith
Bolton	Foshee	Lemley	Snell
Bowers	Gafford	Lybrand	Springer
Brannan	Garrett	Lyons	Starnes
Brassell	Gloor	Manley	Steagall
Brown	Graham	Marr	Stembridge
Burgess	Grainger	Mays	Stubbs
Burgreen	Grayson	McCorquodale	Tuck
Cherner	Hain	McElhaney	Turnham
Collier	Hardin	McLain	Waggoner
Collins (C)	Harper	Meade	Weeks
Collins (W)	Harris	Meeks	Williams
Cook (Coffee)	Haygood	Melton	Wood
Cook (Jefferson)	Headley	Merrill	Wright
Crane	Higginbotham	Nettles	Yeilding
Culver	Hill	Neville	Young

—92

And the bill:

H. 208. To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Berryman (R)	Brannan	Collier
Adwell	Berryman (W)	Brassell	Collins (W)
Agee	Blanton	Burgess	Cook (Jefferson)
Bassett	Bolton	Burgreen	Crane
Beck	Bowers	Cherner	Culver

Dill	Harris	McCorquodale	Robertson
Dobbs	Haygood	McElhaney	Sessions
Doss	Headley	McLain	Smith
Downing	Higginbotham	Meade	Snell
Drake	Hill	Meeks	Springer
Edington	Hobbie	Melton	Steagall
Ellis	Holman	Merrill	Stembridge
Fine	House	Money	Stubbs
Foshee	Jackson (F)	Nettles	Tuck
Gafford	Jackson (T)	Neville	Turnham
Garrett	Kilgore	Owen (Baldwin)	Waggoner
Gloor	Laxson	Owens (W)	Weeks
Graham	Lemley	Paulk	Williams
Grainger	Lybrand	Pearson	Wood
Grayson	Lyons	Pennington	Wright
Hain	Manley	Perloff	Yeilding
Hardin	Marr	Pruitt	Young
Harper	Mays		

—90

And the bill:

H. 209. To alter or rearrange the boundaries of the City of Greenville, Butler County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Owen (Baldwin)
Adwell	Dobbs	Holman	Owens (W)
Agee	Doss	House	Paulk
Bassett	Downing	Jackson (F)	Pearson
Beck	Drake	Jackson (T)	Pennington
Berryman (R)	Edington	Kilgore	Perloff
Berryman (W)	Ellis	Laxson	Pruitt
Blanton	Fine	Lemley	Robertson
Bolton	Foshee	Lybrand	Sessions
Bowers	Gafford	Lyons	Smith
Brannan	Garrett	Malone	Snell
Brassell	Gloor	Manley	Springer
Brown	Graham	Marr	Starnes
Burgess	Grainger	Mays	Steagall
Burgreen	Grayson	McElhaney	Stubbs
Cherner	Hain	McLain	Tuck
Collier	Hardin	Meade	Turnham
Collins (C)	Harper	Meeks	Waggoner
Collins (W)	Harris	Melton	Williams
Cook (Coffee)	Haygood	Merrill	Wood
Cook (Jefferson)	Headley	Money	Wright
Crane	Higginbotham	Nettles	Yeilding
Culver	Hill	Neville	Young

—92

And the bill:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

Was taken up.

Mr. Mathews offered the following amendment to the bill, H. 219:

Amend House Bill 219 by inserting the following after Section 1 of said bill:

"Section 2. The Clerk shall receive a fee of one dollar ($1.00) for each writ of arrest issued by him, to be taxed and collected as other costs are taxed and collected."

Further amend House Bill 219 by re-numbering the original Section 2 of said bill to Section 3.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Pearson
Adwell	Downing	Jackson (T)	Pennington
Agee	Drake	Kilgore	Perloff
Beck	Edington	Laxson	Pruitt
Berryman (R)	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Slate
Bolton	Gafford	Malone	Smith
Bowers	Garrett	Manley	Snell
Brannan	Gloor	Marr	Springer
Brassell	Graham	Mays	Starnes
Brown	Grainger	McElhaney	Steagall
Burgess	Grayson	McLain	Stembridge
Burgreen	Hain	Meade	Stubbs
Cherner	Harper	Meeks	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Weeks
Cook (Coffee)	Higginbotham	Nettles	Williams
Cook (Jefferson)	Hobbie	Neville	Wood
Crane	Holladay	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dill	House	Paulk	Young
Dobbs			

—93

And said bill, H. 219, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dobbs	Graham
Adwell	Burgreen	Doss	Grainger
Agee	Cherner	Downing	Grayson
Bassett	Collier	Drake	Hain
Beck	Collins (C)	Edington	Hardin
Berryman (R)	Collins (W)	Ellis	Harper
Berryman (W)	Cook (Coffee)	Fine	Harris
Blanton	Cook (Jefferson)	Foshee	Haygood
Brannan	Crane	Gafford	Headley
Brassell	Culver	Garrett	Higginbotham
Brown	Dill	Gloor	Hobbie

Holman	Mays	Owens (W)	Steagall
House	McCorquodale	Paulk	Stembridge
Jackson (F)	McElhaney	Pearson	Stubbs
Jackson (T)	McLain	Perloff	Tuck
Kilgore	Meade	Pruitt	Turnham
Laxson	Meeks	Robertson	Waggoner
Lemley	Melton	Sessions	Weeks
Lybrand	Merrill	Slate	Williams
Lyons	Money	Smith	Wood
Malone	Nettles	Snell	Wright
Manley	Neville	Springer	Yeilding
Marr	Owen (Baldwin)	Starnes	Young

—92

And the bill:

H. 220. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bassett	Drake	Kilgore	Pearson
Beck	Edington	Laxson	Perloff
Berryman (R)	Ellis	Lemley	Pruitt
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Foshee	Malone	Slate
Bolton	Gafford	Manley	Smith
Bowers	Garrett	Marr	Snell
Brannan	Gloor	Mathews	Springer
Brassell	Graham	Mays	Starnes
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	McLain	Stubbs
Cherner	Hardin	Meade	Tuck
Collier	Harper	Meeks	Turnham
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Haygood	Merrill	Weeks
Cook (Jefferson)	Headley	Money	Williams
Crane	Higginbotham	Nettles	Wood
Culver	Hobbie	Neville	Wright
Dill	Holman	Owen (Baldwin)	Yeilding
Dobbs	House		

—90

And the bill:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Messrs.:	Dill	House	Owens (W)
Adwell	Dobbs	Jackson (F)	Paulk
Agee	Doss	Jackson (T)	Pearson
Bank	Downing	Kilgore	Perloff
Bassett	Drake	Laxson	Pruitt
Beck	Edington	Lemley	Robertson
Berryman (R)	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Slate
Blanton	Foshee	Malone	Smith
Bolton	Gafford	Manley	Snell
Bowers	Garrett	Marr	Springer
Brannan	Gloor	Mathews	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hain	McLain	Tuck
Cherner	Hardin	Meade	Waggoner
Collier	Harper	Meeks	Weeks
Collins (C)	Harris	Melton	Williams
Collins (W)	Haygood	Merrill	Wood
Cook (Coffee)	Headley	Money	Wright
Cook (Jefferson)	Higginbotham	Nettles	Yeilding
Crane	Hobbie	Neville	Young
Culver	Holman	Owen (Baldwin)	—94

And the bill:

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Was taken up.

On motion of Mr. Mathews, the said bill, H. 222, was carried over to the Eighth Legislative Day without losing its place on the calendar.

And the bill:

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

Was taken up.

Mr. Mathews offered the following amendment to the bill, H. 223:

Amend House Bill 223 by inserting the following after Section 1 of said bill:

"Section 2. The Clerk shall receive a fee of one dollar ($1.00) for each writ of arrest issued by him, to be taxed and collected as other costs are taxed and collected."

Further amend House Bill 223 by re-numbering the original Section 2 of said bill to Section 3.

And the amendment was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Adwell	Doss	Jackson (T)	Paulk
Agee	Downing	Kilgore	Pearson
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (R)	Fine	Lyons	Slate
Berryman (W)	Foshee	Malone	Smith
Blanton	Gafford	Manley	Snell
Bolton	Garrett	Marr	Springer
Bowers	Gloor	Mathews	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grainger	McCorquodale	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hain	McLain	Tuck
Cherner	Hardin	Meade	Turnham
Collier	Harper	Meeks	Waggoner
Collins (C)	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Culver	House	Owen (Baldwin)	Young
Dill			

—93

And said bill, H. 223, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Adwell	Doss	Jackson (T)	Paulk
Agee	Downing	Kilgore	Pearson
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (R)	Fine	Lyons	Slate
Berryman (W)	Foshee	Malone	Smith
Blanton	Gafford	Manley	Snell
Bolton	Garrett	Marr	Springer
Bowers	Graham	Mathews	Starnes
Brannan	Grainger	Mays	Steagall
Brassell	Grayson	McCorquodale	Stembridge
Burgess	Hain	McElhaney	Stubbs
Burgreen	Hardin	McLain	Tuck
Cherner	Harper	Meade	Turnham
Collier	Harris	Meeks	Waggoner
Collins (C)	Haygood	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Culver	House	Owen (Baldwin)	Young
Dill			

—93

And the bill:

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Adwell	Doss	Jackson (T)	Paulk
Agee	Downing	Kilgore	Pearson
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (R)	Fine	Lyons	Sessions
Berryman (W)	Foshee	Malone	Slate
Blanton	Gafford	Manley	Smith
Bolton	Garrett	Marr	Snell
Bowers	Graham	Mathews	Springer
Brannan	Grainger	Mays	Starnes
Brassell	Grayson	McCorquodale	Steagall
Burgess	Hain	McElhaney	Stembridge
Burgreen	Hardin	McLain	Tuck
Cherner	Harper	Meade	Turnham
Collier	Harris	Meeks	Waggoner
Collins (C)	Haygood	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Culver	House	Owen (Baldwin)	Young
Dill			—93

And the bill:

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Adwell	Doss	Jackson (T)	Pearson
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lybrand	Sessions
Berryman (R)	Fine	Lyons	Slate
Berryman (W)	Foshee	Malone	Smith
Blanton	Gafford	Manley	Snell
Bowers	Garrett	Marr	Springer
Brannan	Gloor	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Brown	Grainger	McDonald	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hain	McLain	Tuck
Cherner	Hardin	Meade	Turnham
Collier	Harper	Meeks	Waggoner
Collins (C)	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Cook (Coffee)	Headley	Money	Wood
Cook (Jefferson)	Higginbotham	Nettles	Wright
Crane	Hobbie	Neville	Yeilding
Culver	Holman	Owen (Baldwin)	Young
Dill	House	Owens (W)	—95

And the bill:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Was taken up.

On motion of Mr. Stembridge, the said bill, H. 254, was carried over to the Eighth Legislative Day without losing its place on the calendar.

And the bill:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was taken up.

On motion of Mr. Stembridge, the said bill, H. 255, was carried over to the Eighth Legislative Day without losing its place on the calendar.

And the bill:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Was taken up.

On motion of Mr. Stembridge, the said bill, H. 256, was carried over to the Eighth Legislative Day without losing its place on the calendar.

And the bill:

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Burgess	Cook (Jefferson)
Adwell	Blanton	Burgreen	Culver
Agee	Bolton	Cherner	Dill
Bank	Bowers	Collier	Dobbs
Bassett	Brannan	Collins (C)	Doss
Beck	Brassell	Collins (W)	Downing
Berryman (R)	Brown	Cook (Coffee)	Drake

Edington	Holman	Meade	Smith
Ellis	House	Meeks	Snell
Foshee	Jackson (F)	Melton	Springer
Gafford	Kilgore	Merrill	Starnes
Garrett	Laxson	Money	Steagall
Gloor	Lemley	Nettles	Stembridge
Graham	Lybrand	Neville	Stubbs
Grayson	Lyons	Owen (Baldwin)	Tuck
Hain	Malone	Owens (W)	Turnham
Hardin	Manley	Paulk	Waggoner
Harper	Marr	Pearson	Weeks
Harris	Mays	Perloff	Williams
Haygood	McCorquodale	Pruitt	Wood
Headley	McElhaney	Robertson	Yeilding
Higginbotham	McLain	Sessions	Young
Hobbie			

—89

And the bill:

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)
Adwell	Downing	Kilgore	Paulk
Agee	Drake	Laxson	Pearson
Bank	Edington	Lemley	Perloff
Bassett	Ellis	Lybrand	Pruitt
Beck	Fine	Lyons	Sessions
Berryman (R)	Foshee	Malone	Smith
Berryman (W)	Gafford	Manley	Snell
Blanton	Garrett	Marr	Springer
Bowers	Gloor	Mays	Starnes
Brannan	Graham	McCorquodale	Steagall
Brassell	Grayson	McDonald	Stembridge
Burgess	Hain	McElhaney	Stubbs
Burgreen	Hardin	McLain	Tuck
Cherner	Harper	Meade	Turnham
Collier	Harris	Meeks	Waggoner
Collins (C)	Haygood	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Culver	House	Owen (Baldwin)	Young
Dill	Jackson (F)		

—90

And the bill:

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W)
Adwell	Downing	Jackson (T)	Paulk
Agee	Drake	Kilgore	Pearson
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Smith
Bolton	Garrett	Manley	Snell
Bowers	Gloor	Marr	Springer
Brannan	Graham	Mays	Starnes
Brassell	Grayson	McCorquodale	Steagall
Burgess	Hain	McDonald	Stubbs
Burgreen	Hardin	McElhaney	Tuck
Cherner	Harper	McLain	Turnham
Collier	Harris	Meade	Waggoner
Collins (W)	Haygood	Meeks	Weeks
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Higginbotham	Merrill	Wood
Crane	Hill	Money	Wright
Culver	Hobbie	Nettles	Yeilding
Dill	Holman	Neville	Young
Dobbs	House	Owen (Baldwin)	—91

And the bill:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owen (Baldwin)
Adwell	Doss	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bank	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Pennington
Beck	Ellis	Lemley	Perloff
Berryman (R)	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Lyons	Robertson
Blanton	Gafford	Malone	Sessions
Bolton	Garrett	Manley	Smith
Bowers	Gloor	Marr	Snell
Brannan	Graham	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Burgess	Hain	McDonald	Steagall
Burgreen	Hardin	McElhaney	Tuck
Cherner	Harper	McLain	Turnham
Collier	Harris	Meade	Waggoner
Collins (W)	Haygood	Meeks	Weeks
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Higginbotham	Merrill	Wood
Crane	Hill	Money	Wright
Culver	Hobbie	Nettles	Yeilding
Dill	Holman	Neville	Young

—92

And the bill:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Adwell	Doss	Jackson (T)	Paulk
Agee	Downing	Kilgore	Pearson
Bank	Drake	Laxson	Pennington
Bassett	Edington	Lemley	Perloff
Beck	Ellis	Lybrand	Pruitt
Berryman (W)	Fine	Lyons	Robertson
Blanton	Foshee	Malone	Sessions
Bolton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Gloor	Mays	Snell
Brassell	Graham	McCorquodale	Springer
Brown	Grayson	McDonald	Starnes
Burgess	Hain	McElhaney	Steagall
Burgreen	Hardin	McLain	Tuck
Cherner	Harper	Meade	Turnham
Collier	Harris	Meeks	Waggoner
Collins (C)	Haygood	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Culver	House	Owen (Baldwin)	Young
Dill			—93

And the bill:

H. 321. To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Was taken up.

Mr. Stubbs offered the following amendment to the bill, H. 321:

Amend Section 1 of H. B. 321 by adding as the last sentence of said section as follows:

"Provided, however, the provisions of this Act shall not apply to land or property owned by a municipality or a board or agency thereof.

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Beck	Brannan	Cherner
Adwell	Berryman (R)	Brassell	Collier
Agee	Berryman (W)	Brown	Collins (W)
Bank	Blanton	Burgess	Cook (Coffee)
Bassett	Bolton	Burgreen	Cook (Jefferson)

Crane	Harper	McDonald	Pruitt
Culver	Harris	McElhaney	Robertson
Dill	Headley	McLain	Sessions
Dobbs	Higginbotham	Meade	Smith
Doss	Hobbie	Meeks	Snell
Downing	Jackson (F)	Melton	Springer
Drake	Kilgore	Merrill	Starnes
Edington	Laxson	Money	Steagall
Ellis	Lemley	Nettles	Tuck
Foshee	Lybrand	Neville	Turnham
Gafford	Lyons	Owen (Baldwin)	Waggoner
Garrett	Malone	Owens (W)	Weeks
Gloor	Manley	Paulk	Williams
Graham	Marr	Pearson	Wood
Grayson	Mays	Pennington	Wright
Hain	McCorquodale	Perloff	Yeilding
Hardin			

—85

And said bill, H. 321, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Doss	Lemley	Paulk
Adwell	Downing	Lybrand	Pearson
Agee	Drake	Lyons	Pennington
Beck	Edington	Malone	Perloff
Berryman (R)	Fine	Marr	Smith
Berryman (W)	Foshee	Mays	Snell
Blanton	Garrett	McCorquodale	Springer
Bolton	Graham	McDonald	Starnes
Brannan	Grayson	McElhaney	Steagall
Brassell	Hain	McLain	Stubbs
Burgess	Harper	Meade	Tuck
Burgreen	Headley	Meeks	Turnham
Collier	Higginbotham	Melton	Waggoner
Collins (C)	Hill	Merrill	Williams
Collins (W)	Hobbie	Nettles	Wood
Cook (Coffee)	Jackson (F)	Neville	Yeilding
Culver	Kilgore	Owen (Baldwin)	Young
Dobbs	Laxson	Owens (W)	

—71

MOTION TO ADJOURN LOST

The motion of Mr. Drake to adjourn until 11 o'clock A. M. Wednesday, June 4, 1969, was lost.

Yeas 36; Nays 58.

Yeas:

Mr. Speaker	Culver	Higginbotham	Merrill
Bank	Doss	Kilgore	Neville
Beck	Downing	Laxson	Owens (W)
Blanton	Drake	Lemley	Paulk
Bolton	Fine	Mathews	Springer
Brown	Gafford	McDonald	Starnes
Burgess	Hain	McElhaney	Stembridge
Collier	Harper	Meade	Weeks
Collins (W)	Headley	Melton	Young

—36

Nays:

Messrs.:	Edington	Lybrand	Sessions
Adwell	Ellis	Lyons	Slate
Agee	Foshee	Malone	Smith
Bassett	Garrett	Manley	Snell
Berryman (R)	Gloor	Marr	Steagall
Berryman (W)	Graham	Mays	Stubbs
Brassell	Grayson	McCorquodale	Tuck
Burgreen	Hardin	McLain	Turnham
Cameron	Harris	Meeks	Waggoner
Cherner	Hill	Money	Watkins
Collins (C)	Hobbie	Nettles	Williams
Cook (Jefferson)	Holladay	Pearson	Wood
Crane	Holman	Pennington	Wright
Dill	House	Perloff	Yeilding
Dobbs	Jackson (F)	Robertson	—58

And the bill:

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Owens (W)
Adwell	Doss	Lemley	Paulk
Agee	Downing	Lybrand	Pearson
Bank	Drake	Lyons	Perloff
Bassett	Edington	Malone	Robertson
Beck	Fine	Marr	Slate
Berryman (R)	Foshee	Mathews	Smith
Berryman (W)	Gafford	Mays	Snell
Blanton	Garrett	McCorquodale	Springer
Bolton	Gloor	McDonald	Starnes
Brannan	Graham	McElhaney	Steagall
Brassell	Grayson	McLain	Stubbs
Brown	Hain	Meade	Tuck
Burgess	Hardin	Melton	Turnham
Burgreen	Harper	Merrill	Weeks
Collins (C)	Harris	Money	Williams
Collins (W)	Headley	Nettles	Wood
Cook (Coffee)	Hobbie	Neville	Wright
Culver	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Kilgore	Perloff
Adwell	Downing	Laxson	Robertson
Agee	Drake	Lemley	Sessions
Bassett	Edington	Lybrand	Slate
Beck	Ellis	Lyons	Smith
Berryman (R)	Fine	Malone	Snell
Berryman (W)	Foshee	Manley	Springer
Blanton	Garrett	Marr	Starnes
Bowers	Graham	Mays	Steagall
Brannan	Grayson	McCorquodale	Stembridge
Brassell	Hain	McDonald	Stubbs
Brown	Hardin	McLain	Tuck
Burgess	Harper	Meade	Turnham
Burgreen	Harris	Melton	Waggoner
Collier	Headley	Merrill	Watkins
Collins (C)	Higginbotham	Money	Weeks
Collins (W)	Hill	Nettles	Williams
Cook (Coffee)	Hobbie	Neville	Wood
Culver	Holman	Owen (Baldwin)	Wright
Dill	Jackson (F)	Owens (W)	Yeilding
Dobbs	Jackson (T)	Pearson	Young

—84

And the bill:

H. 326 (with amendment). Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 6 add at the end of the section and as a part thereof the following: As compensation for his duties in prosecuting in said court the solicitor shall receive a salary of two thousand four hundred dollars ($2,400) per annum, payable out of the Court of Common Pleas fund of the county in equal monthly installments as the salaries of other county officers are paid.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Berryman (R)	Brannan	Burgreen
Adwell	Berryman (W)	Brassell	Cherner
Agee	Blanton	Brown	Collier
Bassett	Bolton	Burgess	Collins (C)

Collins (W)	Hain	Marr	Sessions
Cook (Coffee)	Hardin	Mays	Slate
Cook (Jefferson)	Harper	McCorquodale	Smith
Crane	Harris	McDonald	Snell
Culver	Haygood	McElhaney	Springer
Dill	Headley	Meade	Starnes
Dobbs	Higginbotham	Meeks	Steagall
Doss	Hill	Melton	Stembridge
Downing	Hobbie	Merrill	Stubbs
Drake	Holman	Money	Tuck
Edington	Jackson (F)	Nettles	Turnham
Ellis	Kilgore	Neville	Waggoner
Fine	Laxson	Owen (Baldwin)	Weeks
Foshee	Lemley	Owens (W)	Williams
Gafford	Lybrand	Paulk	Wood
Garrett	Lyons	Pearson	Wright
Gloor	Malone	Perloff	Yeilding
Graham	Manley	Robertson	Young
Grayson			—89

And said bill, H. 326, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Lemley	Pennington
Adwell	Doss	Lybrand	Perloff
Agee	Downing	Lyons	Robertson
Bassett	Drake	Malone	Sessions
Beck	Edington	Manley	Slate
Berryman (R)	Ellis	Marr	Smith
Berryman (W)	Fine	Mathews	Snell
Blanton	Foshee	Mays	Springer
Bowers	Garrett	McCorquodale	Starnes
Brannan	Gloor	McDonald	Steagall
Brassell	Graham	McElhaney	Stembridge
Brown	Grayson	McLain	Stubbs
Burgess	Hain	Meade	Tuck
Burgreen	Hardin	Meeks	Turnham
Cherner	Harper	Melton	Waggoner
Collier	Harris	Merrill	Watkins
Collins (C)	Higginbotham	Money	Weeks
Collins (W)	Hill	Nettles	Williams
Cook (Coffee)	Hobbie	Neville	Wood
Cook (Jefferson)	Holman	Owen (Baldwin)	Wright
Crane	Jackson (F)	Paulk	Yeilding
Culver	Kilgore	Pearson	Young
Dill	Laxson		—90

And the bill:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Adwell	Downing	Lemley	Perloff
Agee	Drake	Lybrand	Pruitt
Bank	Edington	Lyons	Robertson
Bassett	Ellis	Malone	Sessions
Beck	Fine	Manley	Slate
Berryman (R)	Foshee	Marr	Smith
Berryman (W)	Gafford	Mathews	Snell
Blanton	Garrett	McCorquodale	Springer
Bowers	Gloor	McDonald	Starnes
Brannan	Graham	McElhaney	Steagall
Brassell	Grayson	McLain	Stembridge
Brown	Hain	Meade	Stubbs
Burgess	Hardin	Meeks	Tuck
Burgreen	Harper	Melton	Turnham
Cherner	Harris	Merrill	Waggoner
Collier	Headley	Money	Watkins
Collins (C)	Higginbotham	Nettles	Weeks
Collins (W)	Hill	Neville	Williams
Cook (Coffee)	Hobbie	Owen (Baldwin)	Wood
Cook (Jefferson)	Holman	Owens (W)	Wright
Crane	Jackson (F)	Paulk	Yeilding
Culver	Jackson (T)	Pearson	Young
Dill	Kilgore		—94

And the bill:

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Paulk
Adwell	Doss	Kilgore	Pearson
Agee	Downing	Laxson	Pennington
Bank	Drake	Lemley	Perloff
Bassett	Edington	Lybrand	Robertson
Beck	Ellis	Lyons	Sessions
Berryman (R)	Fine	Malone	Slate
Berryman (W)	Foshee	Marr	Smith
Blanton	Gafford	Mathews	Snell
Bowers	Garrett	Mays	Springer
Brannan	Gloor	McCorquodale	Starnes
Brassell	Graham	McDonald	Steagall
Brown	Grayson	McElhaney	Stembridge
Burgess	Hain	McLain	Tuck
Burgreen	Hardin	Meade	Turnham
Cherner	Harper	Meeks	Waggoner
Collier	Harris	Melton	Watkins
Collins (C)	Headley	Merrill	Weeks
Collins (W)	Higginbotham	Money	Williams
Cook (Coffee)	Hill	Nettles	Wood
Cook (Jefferson)	Hobbie	Neville	Wright
Crane	Holladay	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	Young
Dill	Jackson (F)		—94

And the bill:

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Culver	Holman	Pearson
Adwell	Dill	Jackson (F)	Pennington
Agee	Dobbs	Kilgore	Perloff
Bassett	Doss	Laxson	Robertson
Beck	Downing	Lybrand	Sessions
Berryman (R)	Drake	Lyons	Shumate
Berryman (W)	Edington	Malone	Slate
Blanton	Ellis	Marr	Snell
Bolton	Fine	Mathews	Springer
Bowers	Foshee	Mays	Starnes
Brannan	Garrett	McCorquodale	Steagall
Brassell	Gloor	McDonald	Stembridge
Brown	Graham	McElhaney	Tuck
Burgess	Grainger	McLain	Turnham
Burgreen	Grayson	Meade	Waggoner
Cherner	Hain	Melton	Watkins
Collier	Hardin	Merrill	Weeks
Collins (C)	Harper	Money	Williams
Collins (W)	Harris	Nettles	Wood
Cook (Coffee)	Headley	Neville	Wright
Cook (Jefferson)	Hill	Owen (Baldwin)	Yeilding
Crane	Hobbie	Paulk	Young

—88

And the bill:

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cherner	Fine	Holman
Agee	Collier	Foshee	Jackson (F)
Bassett	Collins (C)	Garrett	Jackson (T)
Beck	Collins (W)	Gloor	Laxson
Berryman (R)	Cook (Coffee)	Graham	Lemley
Berryman (W)	Crane	Grainger	Lybrand
Blanton	Culver	Grayson	Lyons
Bolton	Dill	Hain	Malone
Bowers	Dobbs	Hardin	Marr
Brannan	Doss	Harper	Mathews
Brassell	Downing	Harris	Mays
Brown	Drake	Headley	McCorquodale
Burgess	Edington	Hill	McDonald
Burgreen	Ellis	Hobbie	McElhaney

McLain	Owen (Baldwin)	Snell	Watkins
Meade	Paulk	Starnes	Weeks
Meeks	Pearson	Steagall	Williams
Melton	Perloff	Stembridge	Wood
Merrill	Robertson	Tuck	Wright
Money	Shumate	Turnham	Yeilding
Nettles	Slate	Waggoner	Young
Neville	Smith		

—86

And the bill:

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y. M. C. A. building.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Lemley	Pennington
Adwell	Downing	Lybrand	Perloff
Agee	Drake	Lyons	Shumate
Bassett	Edington	Malone	Slate
Beck	Ellis	Marr	Smith
Berryman (W)	Fine	Mathews	Snell
Blanton	Foshee	Mays	Springer
Brannan	Gafford	McDonald	Starnes
Brassell	Garrett	McElhaney	Steagall
Brown	Graham	McLain	Stembridge
Burgess	Grainger	Meade	Stubbs
Burgreen	Grayson	Meeks	Tuck
Cherner	Hain	Melton	Turnham
Collier	Hardin	Merrill	Waggoner
Collins (C)	Harper	Money	Watkins
Collins (W)	Harris	Nettles	Weeks
Cook (Jefferson)	Headley	Neville	Williams
Crane	Higginbotham	Owen (Baldwin)	Wood
Culver	Hill	Owens (W)	Wright
Dill	Hobbie	Paulk	Yeilding
Dobbs	Jackson (F)	Pearson	Young

—84

And the bill:

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Burgess	Cook (Coffee)
Adwell	Blanton	Burgreen	Cook (Jefferson)
Agee	Bowers	Cherner	Crane
Bassett	Brannan	Collier	Culver
Beck	Brassell	Collins (C)	Dill
Berryman (R)	Brown	Collins (W)	Dobbs

Doss	Headley	McElhaney	Smith
Downing	Higginbotham	McLain	Snell
Drake	Hill	Meade	Springer
Edington	Hobbie	Meeks	Starnes
Ellis	Holman	Melton	Steagall
Fine	Jackson (F)	Merrill	Stembridge
Foshee	Jackson (T)	Money	Stubbs
Gafford	Laxson	Nettles	Tuck
Garrett	Lemley	Neville	Turnham
Gloor	Lybrand	Owen (Baldwin)	Waggoner
Graham	Malone	Owens (W)	Weeks
Grainger	Marr	Paulk	Williams
Grayson	Mathews	Pearson	Wood
Hain	Mays	Pennington	Wright
Hardin	McCorquodale	Perloff	Yeilding
Harper	McDonald	Shumate	Young
Harris			

—89

And the bill:

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Was taken up.

Mr. Holladay offered the following amendment to the bill, H. 161:

House Bill 161 is hereby amended as follows:

By adding the following at the end of Section 1 thereof:

"Also less and except Lots 27 through 35, inclusive, of Seddon Shores Subdivision according to the map or plat of said Subdivision on record in office of Judge of Probate, Pell City, Ala."

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Paulk
Agee	Downing	Laxson	Pearson
Bassett	Drake	Lemley	Pennington
Beck	Edington	Lybrand	Perloff
Berryman (R)	Ellis	Lyons	Robertson
Berryman (W)	Fine	Malone	Shumate
Blanton	Foshee	Manley	Smith
Bolton	Gafford	Marr	Snell
Brannan	Garrett	Mathews	Starnes
Brassell	Gloor	Mays	Steagall
Brown	Graham	McCorquodale	Stembridge
Burgess	Grainger	McDonald	Stubbs
Burgreen	Grayson	McElhaney	Tuck
Cherner	Hain	McLain	Turnham
Collier	Hardin	Meade	Waggoner
Collins (C)	Harper	Meeks	Weeks
Collins (W)	Harris	Melton	Williams
Cook (Coffee)	Headley	Merrill	Wood
Cook (Jefferson)	Higginbotham	Money	Wright
Crane	Hill	Nettles	Yeilding
Culver	Hobbie	Neville	Young
Dill	Holman	Owen (Baldwin)	

—91

And the bill, H. 161, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owen (Baldwin)
Adwell	Doss	House	Owens (W)
Agee	Downing	Jackson (F)	Paulk
Bassett	Drake	Laxson	Pearson
Beck	Edington	Lemley	Pennington
Berryman (R)	Ellis	Lybrand	Perloff
Berryman (W)	Fine	Lyons	Robertson
Blanton	Foshee	Malone	Shumate
Bolton	Gafford	Manley	Smith
Brannan	Garrett	Marr	Snell
Brassell	Gloor	Mathews	Starnes
Brown	Graham	Mays	Steagall
Burgess	Grainger	McCorquodale	Stembridge
Burgreen	Grayson	McDonald	Stubbs
Cherner	Hain	McElhaney	Tuck
Collier	Hardin	McLain	Turnham
Collins (C)	Harper	Meade	Waggoner
Collins (W)	Harris	Meeks	Weeks
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Higginbotham	Merrill	Wood
Crane	Hill	Money	Wright
Culver	Hobbie	Nettles	Yeilding
Dill	Holladay	Neville	Young

—92

And the bill:

H. 352 (with substitute). To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Dora in Walker County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Dora are hereby altered, rearranged and extended so as to incorporate within the town the following described territory lying and being in Walker County, Alabama, to-wit:

Beginning at the Northeast corner of the present City Limits of the Town of Dora, Alabama, as shown in Map Book 2, page 63, in the office of the Judge of Probate of Walker County, Alabama, which is the point of intersection of the south right-of-way line of U. S. Highway #78 (Bankhead Highway) and the west right-of-way line of the Empire Branch of the Frisco Railroad in the SE¼ of NE¼ Section 9, Township 15 South, Range 5 West, thence run southwesterly along the

East boundary of the present City Limits of the Town of Dora as follows: Run southwesterly along the West boundary of the Empire Branch of the Frisco Railroad right-of-way as said railroad meanders through Sections 9, 16, and 17 to the intersection of the West boundary of the SE¼ of SE¼, Section 17, all in Township 15 South, Range 5 West, thence run South along said West boundary to the Southwest corner of the SE¼ of the SE¼ of Section 17, Township 15 South, Range 5 West, thence run Southwest a distance of 1867 feet, more or less, to the Southeast corner of the NE¼ of the NW¼, Section 20, Township 15 South, Range 5 West, thence run West a distance of 660 feet; thence run South a distance of 3960 feet, more or less, to the South boundary of Section 20, Township 15 South, Range 5 West; thence continue South a distance of 660 feet; thence run West a distance of 1980 feet, more or less, to the West boundary of Section 29, Township 15 South, Range 5 West, which is the Southwest corner of the present City Limits of the Town of Dora, Alabama; thence run South along the West line of the NW¼ of NW¼ of said Section 29, to the Southwest corner of said NW¼ of NW¼ of said Section 29; thence run East along the South line of the N½ of NW¼ of said Section 29 to the Southeast corner thereof; thence run North along the East line of the Northeast Quarter of the NW¼ of said Section 29 to the Northeast corner thereof; thence run East along the South line of Section 20, Township 15 South, Range 5 West to the Southeast corner thereof; thence continue East along the South line of Section 21, Township 15 South, Range 5 West, to the Southeast corner of the W½ of said Section 21; thence North along the East line of said W½ of Section 21 to the Northeast corner of said W½ of said Section 21; thence continue North along the East line of the SE¼ of SW¼ of Section 16 Township 15 South, Range 5 West, to the Northeast corner thereof; thence East along the South line of the NW¼ of SE¼ of said Section 16 to the Southeast corner thereof; thence North along the East line of said NW¼ of SE¼ to the Northeast corner thereof; thence East along the South line of the NE¼ of said Section 16 to the Southeast corner thereof; thence North along the East line of said Section 16 to the Northeast corner thereof; thence continue North along the East line of Section 9, Township 15 South, Range 5 West, to its intersection with the South right-of-way line of U. S. Highway 78; thence Northwesterly along the South right-of-way line of said Highway to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Collier	Fine	Hill
Agee	Collins (C)	Foshee	Hobbie
Bassett	Collins (W)	Gafford	Holladay
Beck	Cook (Coffee)	Garrett	House
Berryman (R)	Cook (Jefferson)	Gloor	Jackson (F)
Blanton	Crane	Graham	Jackson (T)
Bolton	Culver	Grainger	Laxson
Bowers	Dill	Grayson	Lemley
Brannan	Dobbs	Hain	Lybrand
Brassell	Doss	Hardin	Lyons
Brown	Downing	Harper	Malone
Burgess	Drake	Harris	Manley
Burgreen	Edington	Headley	Marr
Cherner	Ellis	Higginbotham	Mathews

Mays	Nettles	Shumate	Waggoner
McCorquodale	Neville	Smith	Watkins
McDonald	Owen (Baldwin)	Snell	Weeks
McElhaney	Owens (W)	Starnes	Williams
McLain	Paulk	Steagall	Wood
Meade	Pearson	Stembridge	Wright
Melton	Pennington	Stubbs	Yeilding
Merrill	Perloff	Tuck	Young
Money	Robertson	Turnham	

—91

And said bill, H. 352, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Owens (W)
Adwell	Downing	Jackson (F)	Paulk
Agee	Drake	Laxson	Pearson
Bassett	Edington	Lemley	Pennington
Beck	Ellis	Lybrand	Perloff
Berryman (R)	Fine	Lyons	Robertson
Blanton	Foshee	Malone	Shumate
Bolton	Gafford	Manley	Smith
Brannan	Garrett	Marr	Snell
Brassell	Gloor	Mathews	Starnes
Brown	Graham	Mays	Steagall
Burgess	Grainger	McCorquodale	Stembridge
Burgreen	Grayson	McDonald	Stubbs
Cherner	Hain	McElhaney	Tuck
Collier	Hardin	McLain	Turnham
Collins (C)	Harper	Meade	Waggoner
Collins (W)	Harris	Meeks	Weeks
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Higginbotham	Merrill	Wood
Crane	Hill	Money	Wright
Culver	Hobbie	Nettles	Yeilding
Dill	Holladay	Neville	Young
Dobbs	Holman	Owen (Baldwin)	

—91

And the bill:

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Ellis
Adwell	Brassell	Cook (Jefferson)	Fine
Agee	Brown	Crane	Foshee
Bassett	Burgess	Culver	Gafford
Beck	Burgreen	Dill	Garrett
Berryman (R)	Cherner	Doss	Gloor
Berryman (W)	Collier	Downing	Graham
Blanton	Collins (C)	Drake	Grainger
Bowers	Collins (W)	Edington	Grayson

Hain	Lybrand	Merrill	Starnes
Hardin	Lyons	Money	Steagall
Harper	Malone	Nettles	Stembridge
Harris	Manley	Neville	Stubbs
Headley	Marr	Owen (Baldwin)	Tuck
Higginbotham	Mathews	Owens (W)	Turnham
Hill	Mays	Paulk	Waggoner
Hobbie	McCorquodale	Pearson	Weeks
Holladay	McDonald	Pennington	Williams
Holman	McElhaney	Perloff	Wood
Jackson (F)	McLain	Robertson	Wright
Jackson (T)	Meade	Shumate	Yeilding
Laxson	Meeks	Smith	Young
Lemley	Melton	Snell	—91

MOTION TO ADJOURN LOST

The motion of Mr. Dobbs to adjourn until 12 o'clock Noon on Wednesday, June 4, 1969, was lost.

Yeas 39; Nays 56.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Neville
Beck	Doss	Hill	Owens (W)
Blanton	Downing	Laxson	Paulk
Bolton	Drake	Lemley	Perloff
Brannan	Fine	Marr	Robertson
Brown	Gafford	Mathews	Shumate
Collins (W)	Graham	McElhaney	Slate
Crane	Hain	Meade	Starnes
Culver	Haygood	Melton	Stembridge
Dill	Headley	Merrill	—39

Nays:

Messrs.:	Edington	Lybrand	Smith
Adwell	Ellis	Lyons	Snell
Agee	Foshee	Malone	Steagall
Bassett	Garrett	Manley	Stubbs
Berryman (R)	Gloor	Mays	Tuck
Berryman (W)	Grainger	McCorquodale	Turnham
Brassell	Grayson	McDonald	Waggoner
Burgess	Hardin	McLain	Watkins
Burgreen	Harris	Meeks	Weeks
Cameron	Hobbie	Money	Williams
Cherner	Holladay	Nettles	Wood
Collier	Holman	Pearson	Wright
Collins (C)	House	Pennington	Yeilding
Cook (Coffee)	Jackson (F)	Sessions	Young
Cook (Jefferson)			—56

And the bill:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Paulk
Adwell	Downing	Jackson (F)	Pearson
Agee	Drake	Jackson (T)	Pennington
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Robertson
Berryman (R)	Fine	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Shumate
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Starnes
Burgess	Grainger	McCorquodale	Steagall
Burgreen	Grayson	McDonald	Stembridge
Cherner	Hain	McLain	Stubbs
Collier	Hardin	Meade	Tuck
Collins (C)	Harper	Meeks	Turnham
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Haygood	Merrill	Weeks
Cook (Jefferson)	Headley	Money	Williams
Crane	Higginbotham	Nettles	Wood
Culver	Hill	Neville	Wright
Dill	Hobbie	Owen (Baldwin)	Yeilding
Dobbs	Holman	Owens (W)	Young

—92

And the bill:

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Adwell	Drake	Lemley	Pennington
Bassett	Edington	Lybrand	Perloff
Beck	Ellis	Lyons	Robertson
Berryman (R)	Fine	Malone	Sessions
Berryman (W)	Foshee	Manley	Shumate
Bowers	Gafford	Marr	Slate
Brannan	Gloor	Mathews	Smith
Brassell	Graham	Mays	Snell
Brown	Grainger	McCorquodale	Starnes
Burgess	Hain	McElhaney	Steagall
Burgreen	Hardin	McLain	Stembridge
Cherner	Harper	Meade	Stubbs
Collier	Haygood	Melton	Tuck
Collins (C)	Headley	Merrill	Waggoner
Collins (W)	Higginbotham	Money	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	Holman	Neville	Wood
Crane	House	Owen (Baldwin)	Wright
Culver	Jackson (F)	Owens (W)	Yeilding
Dobbs	Jackson (T)	Paulk	Young
Doss			

—85

MOTION TO ADJOURN LOST

The motion of Mr. Graham to adjourn until 12 o'clock Noon on Wednesday, June 4, 1969, was lost.

Yeas 40; Nays 56.

Yeas:

Mr. Speaker	Drake	Laxson	Paulk
Bank	Fine	Lemley	Pennington
Beck	Gafford	Marr	Perloff
Brown	Graham	Mathews	Robertson
Burgess	Hain	McCorquodale	Shumate
Collins (W)	Harper	Meade	Springer
Culver	Haygood	Melton	Starnes
Dobbs	Headley	Merrill	Watkins
Doss	Higginbotham	Neville	Weeks
Downing	Hill	Owens (W)	Wood

—40

Nays:

Messrs.:	Crane	Jackson (F)	Sessions
Adwell	Dill	Jackson (T)	Slate
Bassett	Edington	Lybrand	Smith
Berryman (R)	Ellis	Lyons	Snell
Berryman (W)	Foshee	Malone	Steagall
Bowers	Garrett	Manley	Stembridge
Brannan	Gloor	Mays	Stubbs
Brassell	Grainger	McDonald	Tuck
Burgreen	Grayson	McElhaney	Turnham
Cameron	Hardin	McLain	Waggoner
Cherner	Harris	Money	Williams
Collier	Hobbie	Nettles	Wright
Collins (C)	Holman	Owen (Baldwin)	Yeilding
Cook (Coffee)	House	Pearson	Young
Cook (Jefferson)			

—56

And the bill:

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cherner	Gafford	Hill
Adwell	Collier	Garrett	Hobbie
Bassett	Collins (C)	Gloor	Holladay
Beck	Collins (W)	Graham	Holman
Berryman (R)	Cook (Coffee)	Grainger	House
Berryman (W)	Cook (Jefferson)	Grayson	Jackson (F)
Blanton	Dobbs	Hain	Jackson (T)
Bowers	Downing	Hardin	Laxson
Brannan	Drake	Harper	Lemley
Brassell	Edington	Harris	Lybrand
Brown	Ellis	Haygood	Lyons
Burgess	Fine	Headley	Malone
Burgreen	Foshee	Higginbotham	Manley

Marr	Money	Sessions	Turnham
Mathews	Nettles	Shumate	Waggoner
Mays	Neville	Slate	Watkins
McCorquodale	Owen (Baldwin)	Smith	Weeks
McElhaney	Owens (W)	Snell	Williams
McLain	Paulk	Starnes	Wood
Meade	Pearson	Steagall	Wright
Meeks	Pennington	Stembridge	Yeilding
Melton	Perloff	Stubbs	Young
Merrill	Robertson	Tuck	—91

And the bill:

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Pennington
Adwell	Fine	Lybrand	Perloff
Bassett	Foshee	Lyons	Robertson
Beck	Gafford	Malone	Sessions
Berryman (R)	Garrett	Manley	Shumate
Berryman (W)	Gloor	Marr	Slate
Blanton	Graham	Mathews	Smith
Brannan	Grainger	Mays	Snell
Brassell	Grayson	McCorquodale	Starnes
Brown	Hain	McElhaney	Steagall
Burgess	Hardin	McLain	Stembridge
Burgreen	Harper	Meade	Stubbs
Cherner	Harris	Meeks	Tuck
Collier	Haygood	Melton	Turnham
Collins (C)	Headley	Merrill	Waggoner
Collins (W)	Higginbotham	Money	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	Hobbie	Neville	Wood
Dobbs	Holman	Owen (Baldwin)	Wright
Downing	House	Owens (W)	Yeilding
Drake	Jackson (F)	Paulk	Young
Edington	Laxson	Pearson	—87

And the bill:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Berryman (R)	Brassell	Cherner
Adwell	Berryman (W)	Brown	Collier
Bassett	Blanton	Burgess	Collins (C)
Beck	Brannan	Burgreen	Collins (W)

Cook (Coffee)	Harris	Mays	Robertson
Dobbs	Haygood	McCorquodale	Sessions
Downing	Headley	McElhaney	Smith
Drake	Higginbotham	McLain	Snell
Edington	Hill	Meade	Starnes
Ellis	Hobbie	Meeks	Steagall
Fine	Holladay	Melton	Stembridge
Foshee	Holman	Merrill	Stubbs
Gafford	House	Money	Tuck
Garrett	Laxson	Nettles	Turnham
Gloor	Lemley	Neville	Waggoner
Graham	Lybrand	Owen (Baldwin)	Weeks
Grainger	Lyons	Owens (W)	Williams
Grayson	Malone	Paulk	Wood
Hain	Manley	Pearson	Wright
Hardin	Marr	Pennington	Yeilding
Harper	Mathews	Perloff	Young

—84

And the bill:

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Fine	Laxson	Paulk
Adwell	Foshee	Lemley	Pearson
Bassett	Gafford	Lybrand	Pennington
Beck	Garrett	Lyons	Perloff
Berryman (R)	Gloor	Malone	Robertson
Berryman (W)	Graham	Manley	Sessions
Blanton	Grainger	Marr	Smith
Brannan	Grayson	Mathews	Snell
Brassell	Hain	Mays	Starnes
Burgess	Hardin	McCorquodale	Steagall
Burgreen	Harper	McElhaney	Stembridge
Cherner	Harris	McLain	Stubbs
Collier	Haygood	Meade	Tuck
Collins (C)	Headley	Meeks	Turnham
Collins (W)	Higginbotham	Melton	Waggoner
Cook (Coffee)	Hill	Merrill	Weeks
Cook (Jefferson)	Hobbie	Money	Williams
Dobbs	Holladay	Nettles	Wood
Downing	Holman	Neville	Wright
Drake	House	Owen (Baldwin)	Yeilding
Edington	Jackson (F)	Owens (W)	Young
Ellis	Jackson (T)		

—86

And the bill:

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Neville
Adwell	Ellis	Laxson	Owen (Baldwin)
Bassett	Fine	Lemley	Owens (W)
Beck	Foshee	Lybrand	Paulk
Berryman (R)	Gafford	Lyons	Pearson
Berryman (W)	Garrett	Malone	Perloff
Blanton	Gloor	Manley	Snell
Brannan	Graham	Marr	Starnes
Brassell	Grainger	Mathews	Steagall
Burgess	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Waggoner
Collins (W)	Haygood	Meeks	Weeks
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Higginbotham	Merrill	Wood
Dobbs	Hobbie	Money	Wright
Downing	Holman	Nettles	Yeilding
Drake	Jackson (F)		—78

And the bill:

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Ellis	Laxson	Pennington
Adwell	Fine	Lemley	Perloff
Bassett	Foshee	Lybrand	Robertson
Beck	Gafford	Lyons	Smith
Berryman (R)	Gloor	Malone	Snell
Berryman (W)	Graham	Manley	Starnes
Blanton	Grainger	Marr	Steagall
Brannan	Grayson	Mathews	Stembridge
Brassell	Hain	Mays	Stubbs
Burgess	Hardin	McCorquodale	Tuck
Burgreen	Harper	Meade	Turnham
Cherner	Harris	Meeks	Waggoner
Collier	Haygood	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hobbie	Neville	Wright
Dobbs	Holman	Owen (Baldwin)	Yeilding
Downing	Jackson (F)	Paulk	Young
Drake	Jackson (T)	Pearson	—75

And the bill:

H. 273. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was taken up.

On motion of Mr. Dill, the said bill, H. 273, was carried over to the Eighth Legislative Day without losing its place on the calendar.

And the bill:

H. 69. To authorize and provide that Clerks of Circuit Courts in all Counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census, may select, designate and appoint one of his present assistants to be and serve as Assistant Chief Clerk of the Criminal Division of Circuit Court, and one of his present assistants to be and serve as Assistant Chief Clerk of the Civil Division of Circuit Court.

Was taken up.

On motion of Mr. Wright, the said bill, H. 69, was carried over to the Twelfth Legislative Day without losing its place on the calendar.

And the bill:

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owens (W)
Adwell	Drake	Jackson (T)	Paulk
Bank	Edington	Laxson	Pearson
Bassett	Ellis	Lemley	Pennington
Beck	Fine	Lybrand	Perloff
Berryman (R)	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Blanton	Garrett	Manley	Slate
Bowers	Gloor	Marr	Smith
Brannan	Graham	Mathews	Snell
Brassell	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cherner	Hardin	McLain	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Meeks	Waggoner
Collins (W)	Haygood	Melton	Watkins
Cook (Coffee)	Headley	Merrill	Weeks
Cook (Jefferson)	Higginbotham	Money	Williams
Crane	Hobbie	Nettles	Wood
Culver	Holladay	Neville	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Doss			

—89

And the bill:

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Paulk
Adwell	Drake	Jackson (F)	Pearson
Bank	Edington	Lemley	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Fine	Lyons	Robertson
Berryman (R)	Foshee	Malone	Sessions
Berryman (W)	Gafford	Manley	Slate
Blanton	Garrett	Marr	Smith
Bowers	Gloor	Mathews	Snell
Brannan	Graham	Mays	Starnes
Brassell	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	McLain	Tuck
Cherner	Hardin	Meade	Turnham
Collier	Harper	Meeks	Waggoner
Collins (C)	Harris	Melton	Watkins
Collins (W)	Haygood	Merrill	Weeks
Cook (Coffee)	Headley	Money	Williams
Cook (Jefferson)	Higginbotham	Nettles	Wood
Crane	Hobbie	Neville	Wright
Culver	Holladay	Owen (Baldwin)	Yeilding
Dobbs	Holman	Owens (W)	Young
Doss			—89

ADJOURNMENT

On motion of Mr. Meade, the House adjourned until 11 o'clock A.M., Wednesday, June 4, 1969.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 4, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Henry Lyons, Jr., Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Berryman (W)	Burgess	Cook (Coffee)
Adwell	Blanton	Burgreen	Cook (Jefferson)
Agee	Bolton	Cameron	Crane
Bank	Bowers	Cherner	Crawford
Bassett	Brannan	Collier	Culver
Beck	Brassell	Collins (C)	Dill
Berryman (R)	Brown	Collins (W)	Dobbs

Doss	Hill	McElhaney	Shumate
Downing	Hobbie	McLain	Slate
Drake	Holladay	Meade	Smith
Edington	Holman	Meeks	Snell
Ellis	House	Melton	Springer
Fine	Jackson (F)	Merrill	Starnes
Foshee	Jackson (T)	Money	Steagall
Gafford	Jones	Nettles	Stembridge
Garrett	Kilgore	Neville	Stubbs
Gloor	Laxson	Owen (Baldwin)	Tuck
Graham	Lemley	Owens (W)	Turnham
Grainger	Lybrand	Owens (W.E.)	Waggoner
Grayson	Lyons	Paulk	Watkins
Hain	Malone	Pearson	Weeks
Hardin	Manley	Pennington	Williams
Harper	Marr	Perloff	Wood
Harris	Mathews	Pruitt	Wright
Haygood	Mays	Robertson	Yeilding
Headley	McCorquodale	Sessions	Young
Higginbotham	McDonald		—106

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventh legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the seventh legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventh legislative day was approved.

BILLS ON SECOND READING

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 534. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalities for violations.

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

H. 610. Relating to counties having population of not less than 25,400 nor more than 26,000, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

The above bill was read a second time at length as required by the Constitution.

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 596. Applicable in each county having a population exceeding 600,000 according to the then next preceding federal decennial census; and providing that a permit from the governing body of each such county shall be a prerequisite to the use of public highways and other public ways in the county for construction, installation or commencement of operation therein of public water facilities.

H. 597. To amend Sections 2 and 3 of Act No. 635, H. 836, Regular Session of 1967 (1967 General Acts, Vol. 2, p. 1445) being an act to create a commission on taxation and services in all counties having populations of 600,000 or more, to prescribe the powers and duties of the commission and to provide for the selection and compensation of the commissioners.

H. 598. To further amend Section 19 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376 et seq.) as heretofore amended.

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302-1304), providing for the appointment of a Zoning Board of Adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent Federal Census.

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legislature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 192 (with amendment). Concerning procedure of state administrative agencies and review of their determinations.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. McCorquodale, Mays, Hardin, Turnham, Agee, Brassell, Cook (Coffee), Steagall, Brannan, Foshee and Melton:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority

and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Conservation.

By Mr. Blanton:

H. 674. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Cook (Jefferson), Adwell, Yeilding, Weeks, Holman, Sessions, Cherner, Money, Waggoner, House, Meeks, Watkins, Ellis and Gafford:

H. 675. To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

Local Legislation No. 2.

By Messrs. Cook (Jefferson), Adwell, Yeilding, Weeks, Holman, Sessions, Money, Waggoner, House, Watkins and Ellis:

H. 676. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for the expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the

convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Local Legislation No. 2.

By Messrs. Adwell, Cook (Jefferson), Weeks, Holman, Sessions, Meeks, House, Gloor, Waggoner, Kilgore, Money, Watkins and Gafford:

H. 677. To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said Plumbers Examining Board and their terms of office; to provide for the payment of compensation to the members of said Board and its employees; to define the powers conferred upon and the duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumbers apprentices; to provide for the payment of examination fees and certificate fees; to empower the Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said Board, and to provide for penalties for the violation of this Act" so as to provide that a municipality having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

Local Legislation No. 2.

By Messrs. Yeilding, Weeks, Holman, Sessions, Gloor, Money, Crane, Kilgore, Waggoner, Meeks, Ellis, Bowers, Watkins and Gafford:

H. 678. Proposing a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Cherner, Money, Meeks, Yeilding, Ellis, Weeks, Sessions, Holman, Dill, Cook (Jefferson), and House:

H. 679. To authorize the governing body of every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to adopt and enforce ordinances designed to promote the orderly and safe movement of pedestrian and vehicular traffic on the public highways and roads in areas of the county not situated within the boundaries of any municipality; to authorize any such governing body to adopt and enforce ordinances prescribing speeds at which it shall be lawful and speeds at which it shall be unlawful to operate vehicles on such public highways and roads; to authorize any such governing body to adopt and enforce ordinances providing for the installation or maintenance of traffic signs, traffic signals, traffic lines, traffic lanes and other devices designed to regulate and control vehicular and pedestrian traffic on such public highways and roads, to authorize any such governing body to adopt and enforce ordinances containing regulations and prohibitions regarding the parking of vehicles on such public highways and roads; to provide that no such governing body shall have the authority to adopt any ordinances applying within the corporate limits of any municipality and that no ordinance adopted under this Act shall have any effect or force within the corporate limits of any municipality; to provide that no such governing body shall have the power to pass any ordinance inconsistent with any law of the State or with any ordinance of any municipality applying within the police jurisdiction thereof; to provide that if there is any such conflict, the State law or the municipal ordinance shall prevail over the ordinance adopted by the governing body of the county, insofar as there is any such conflict; to provide for the procedure by which the governing body shall adopt an ordinance under this Act; to provide that no ordinance adopted under this Act shall take effect until it has been published in a newspaper of general circulation in the County; to provide that all courts of the State shall take judicial notice of all ordinances adopted under this Act; to provide that the violation of any ordinance adopted under this Act shall constitute a misdemeanor and to provide the punishment to be imposed upon one convicted of any such violation; to provide that the fees and costs of court in cases involving the violation of any such ordinance shall be the same as the laws prescribed generally for misdemeanors in that court wherein the cases involving such violation arises; to repeal all laws or parts of laws in conflict with this Act to the extent of such conflict; and to provide when this Act shall become effective.

Local Legislation No. 2.

By Messrs. Ellis, Dill, Adwell, Yeilding, Weeks, Holman, Sessions, House, Crane, Money, Waggoner, Cherner, Watkins, Meeks, Gafford, Cook (Jefferson), Kilgore, Bowers, Jackson (T) and Gloor:

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Local Legislation No. 2.

By Mr. Burgreen (with notice and proof):

H. 681. Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

Local Legislation No. 1.

Notice and Proof H. 681:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. The chairman of the Board of Revenue of Limestone County shall be entitled to receive an additional expense allowance of $200.00 per month. The associate members of the Board of Revenue of said county shall be entitled to receive an additional expense allowance of $100.00 per month. The above expense allowances shall be paid out of the general funds of the county beginning with the first month following the effective date of this act. It is also provided that the above expense allowances be in addition to any other compensation now received by the chairman or the members of the Board of Revenue, and further provided that the chairman and board members shall be reimbursed for their actual expenses incurred for travel outside the county on official business.

Section 2. The chairman of the Board of Revenue shall receive a salary of $10,500.00 per annum. The associate members of the Board of Revenue shall receive a salary of $6,700.00 per annum. Salaries as provided above shall be paid in equal monthly installments out of the general funds of the county as prescribed by law, and shall become effective at the expiration of the terms of the incumbent members of the Board of Revenue.

Section 3. Upon the expiration of the terms of the incumbent members of the Board of Revenue, and upon the effective date of the salary increases as provided in Section 2 of this act, the expense allowance for the chairman and the members of the Board of Revenue shall be reduced to $100.00 per month. It is provided however, that the chairman and board members shall still be reimbursed for their actual expenses for travel on official business outside the county.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; provided, that should there be a statutory or constitutional prohibition preventing any of these public officers from receiving the prescribed compensation as of such date, the provisions of this Act shall become effective as to them immediately following the date on which such prohibition expires.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
LIMESTONE COUNTY

Personally appeared before me, the undersigned authority in and for said county and state, who after being duly sworn, deposes and says:

My name is BAYLIS HIGHTOWER. I am TREASURER of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for FOUR (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 29 day of APRIL, 1969, and the last copy of said publication appearing in the said paper on the 20 day of MAY, 1969.

BAYLIS HIGHTOWER.

Sworn and subscribed to before me this 2 day of June, 1969.

LOLA L. ORR,
Notary Public.

My Commission Expires 8-23, 1971.

By Mr. Burgreen (with notice and proof):

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

Local Legislation No. 1.

Notice and Proof H. 682:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Limestone County a court of record, which shall have county-wide limited jurisdiction of criminal cases and of civil actions at law and in equity. The court shall be known as, "The Limestone County Superior Court." It shall be in lieu

of the court created and established by Act No. 199, H. 603 (Local Acts, 1947, Page 113), as amended, which court is hereby abolished.

Section 2. (a) Except as provided in subsection (c), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings and cases, civil or criminal, cognizable before the circuit court, or a county court, or justices of the peace, and courts created in lieu thereof, and all courts of like jurisdiction. It shall have concurrent jurisdiction of juvenile cases. It shall have authority to punish contempts as a circuit court, and may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the constitution and statutes of the State of Alabama and law-made rules governing the practice and procedure of courts of record. (b) The court shall have exclusive appellate jurisdiction in cases appealed from justices of the peace, mayor's or recorder's courts, and all inferior courts of the county. Such appeals shall be had as appeals to the circuit court, unless otherwise herein provided. (c) The court shall not have power to try persons charged with felonies, nor shall it have power to draw, organize or empanel grand juries.

Section 3. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1972, and at the general election each four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next after his election, and until his successor is elected and qualified. (b) The first judge of the court shall be the person holding office as judge of the court abolished by this act, and he shall hold office until his successor is elected or appointed and assumes office as provided herein. (c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution of Alabama. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner prescribed by law. No person shall be eligible to the office of judge unless he is at the time of his appointment or election a qualified elector of Limestone County, learned in the law and admitted to the practice of law by the Supreme Court of Alabama, for a period of at least three years prior to such election or appointment, and over the age of twenty-five years. The judge shall not engage in the practice of law during his term of office; and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of the judge shall be filled by appointment as provided by Section 158 of the Constitution. (d) The judge shall receive an annual salary of $12,000, payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. (e) The judge shall have authority to: 1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are grantable by the circuit judges; 2) grant writs of injunction and ne exeat; 3) administer oaths and take acknowledgments; 4) exercise such other powers, jurisdiction or authority as may be conferred by law upon circuit judges, judges of juvenile or county courts, and justices of the peace, except as otherwise provided herein. (f) The judge shall keep an office in the county courthouse. His office shall be suitably equipped, furnished and provided, at the expense of the county, with such office supplies and stationery, stamps, furniture, fixtures, telephone and other facilities as may be necessary for the transaction of the business of the court. (g) In the event of the absence of the judge because of illness, vacation or disqualification, a special judge shall be appointed as provided by Section 160 of the Constitution and Code of Alabama 1940, Title 13, Section 124 who shall be paid twenty dollars out of the general fund of the county for each day or fraction thereof that he serves; provided, how-

ever, that the county shall not pay for more than thirty days each calendar year for the services of a special judge who serves for the judge during absences due to vacation, or illness, or attendance at professional meetings lasting more than three days; provided further that when the judge recuses himself or attends a professional meeting lasting three days or less such absence shall be allowable in addition to the aforementioned thirty days and shall be paid for out of the general fund of the county.

Section 4. (a) Sessions of the court shall be held at the county court house, and the court shall be open at all times for the transaction of business. Jury sessions must be held at least twice each year and may be held oftener, if in the discretion of the judge it is considered necessary. Non-jury civil, criminal, equity and juvenile cases may be set and heard at any time. (b) The sheriff shall attend the session of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court. He shall receive the same fees for executing the processes of the court as provided by law for the executing of the same processes in the circuit court or justice of the peace courts, and they shall be collected in the same manner.

Section 5. (a) Except as otherwise provided in this act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought or appearances entered shall be governed by the statutes and rules of practice and procedure governing the circuit courts. (b) In all civil cases at law where the amount involved is one hundred dollars or less, or where a justice of the peace would have final jurisdiction, the rules of pleading and the time within which suits may be brought, tried or appearances entered shall be governed by the rules and laws applicable to civil actions before a justice of the peace. (c) Criminal cases of all types shall be set for as speedy and early a hearing as the court or judge thereof may see fit. (d) The court shall have four divisions, namely, law, equity, criminal and juvenile.

Section 6. (a) The judge shall draw petit jurors to try cases in the same manner as they are drawn in circuit court. (b) In all civil cases the judge shall decide all issues of fact without the intervention of a jury, except in civil actions at law where the plaintiff demands a jury trial in writing at the commencement of the suit, or in cases where the defendant demands a jury trial in writing within thirty days after the perfection of service upon him; in cases where the amount involved is one hundred dollars or less or where a justice of the peace would have final jurisdiction, a jury must be demanded not later than the date set for trial if such is less than thirty days after service of process. In civil cases at law brought by appeal or certiorari from judgments of justices of the peace or other inferior courts, a jury trial may be demanded in writing by the appellant within ten days after taking the appeal, or by appellee within ten days after notice of the appeal shall have been perfected. (c) In all misdemeanor cases the judge shall decide issues of fact without the intervention of a jury, except in cases where the defendant files a written demand for a jury trial with the clerk on or before the date originally set for the trial. A continuance on the motion of either side shall not extend the period during which such jury trial may be demanded. (d) No jury shall be allowed in equity cases except where such is provided for in equity cases in the circuit court. (e) In all cases of forcible entry and unlawful detainer brought under Code of Alabama 1940, Title 7, Chapter 26, and in all suits to recover possession of real estate brought under Code of Alabama 1940, Title 31, Chapter 3, the judge shall proceed to try the cause without the intervention of a jury unless the defendant at the time of demanding a jury trial, also

executes bond, with sufficient sureties to be approved by the clerk, payable to the plaintiff in the sum of twice the yearly value of the reasonable rent of the premises, to be ascertained by the judge, with condition to pay the plaintiff all such rent and damages he may sustain by reason of the delay caused by the demand for a jury trial.

Section 7. (a) In all matters, causes and proceedings in which justices of the peace would have final jurisdiction, the costs and fees taxable shall be the same as are allowed in justice of the peace courts. The usual solicitor's fees provided in cases in circuit courts shall be taxed as a part of the costs in all criminal cases, except in a criminal case where a justice of the peace would have final jurisdiction in which no solicitor's fees shall be charged. Witnesses shall be allowed one dollar per diem in all cases. Witnesses shall not be entitled to mileage in any case. No trial tax shall be charged in any case. In all other cases, the usual costs, fees and commissions shall be taxed as in circuit court, unless otherwise provided herein. The public law library fee imposed by law on the Limestone County Court shall apply in the same manner and to the same extent to the court hereby created. (b) Officers who are paid a salary by the state or any political subdivision thereof shall not be entitled to witness fees for attending the court. (c) In each case reported by the reporter, there shall be taxed as a part of the costs the sum of five dollars. (d) All fines and forfeitures, except those required by law to be paid or remitted to the state treasurer, or other state officer or department, all solicitor's fees, all court reporter's fees and all clerk's fees and all register's fees shall be deposited by the clerk in the general fund of the county. The clerk shall retain the fees of the sheriff and witnesses and shall pay them to the parties entitled thereto. All other items of costs shall be deposited in the general fund of the county, unless otherwise provided by state law. (e) No costs shall be taxed in juvenile cases. (f) If the defendant is acquitted or if the case is nol prossed or is abated by the death of the defendant, or if the indictment, complaint or affidavit is withdrawn and filed, no clerk's fees or sheriff's fees shall be charged; witness fees, however, in the amounts hereinbefore set forth shall accrue against the county fine and forefeiture fund for the state's witnesses within a reasonable number as determined by the judge.

Section 8. (a) No prosecution shall be commenced in the court except by transfer from the circuit court of Limestone County or upon sworn complaint made to either the judge, clerk or solicitor of the court, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictment. The clerk shall keep a docket of all complaints made or warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused. (b) An amendment of the sworn complaint or affidavit without the defendant's consent shall entitle the defendant to a continuance. (c) The county solicitor or equivalent official of Limestone County shall prosecute for the state all criminal cases commenced in the court and shall prepare any and all complaints, affidavits or other pleadings in which the state is a party. In the event the county solicitor or equivalent officer is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid fifteen dollars for each day or fraction thereof that he is engaged in the duties imposed upon him under this act, payable out of the general fund of the county.

Section 9. Any party aggrieved by a final judgment, order or ruling of the court may appeal to the Court of Appeals or Supreme Court in the same manner and within the same time as appeals may be taken in the circuit court.

Section 10. The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as provided in Code of Alabama 1940, Title 7, Chapter 11.

Section 11. (a) The circuit clerk of Limestone County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established. The clerk shall receive the same fees in civil cases where the amount involved exceeds one hundred dollars as are allowed in circuit courts, and in cases where the amount involved is one hundred dollars or less, the same fees as are allowed justices of the peace for like services. In criminal cases where a justice of the peace would have final jurisdiction, the clerk shall receive the same fees as are allowed justices of the peace for like services, and in criminal cases where a justice of the peace would not have final jurisdiction, the same fees as are allowed the clerk in circuit court for like services. The clerk shall also be entitled to a commission of five per cent of any sum or sums collected by such clerk for the state or for Limestone County as compensation for collecting and remitting the same, in addition to his usual fees provided by law and by this act. The register shall receive the same fees as are allowed in circuit court. Each shall have authority to purchase at the county's expense such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court. Said clerk and register shall make a bond payable to the state in the penal sum of five thousand dollars and shall take the oath of office as required of all officers. (b) The clerk of this court and the register of this court shall have the same authorities and shall perform the same duties as the circuit court clerk and register of the circuit court have under the general laws of the state.

Section 12. The judge shall secure the services of a competent reporter to attend the sessions of the court and report all cases tried when request therefor is made by any party to the suit. The reporter shall serve at the will and pleasure of the judge. He shall receive such fees or pay for his services as the judge may order, based upon the usual competitive pay for such, payable out of the general fund of the county.

Section 13. (a) All cases and actions pending in the court abolished by this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments rendered by the abolished court, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it. (b) The presiding judge of the Circuit Court of Limestone County shall, on the effective date of this Act or as soon thereafter as is practicable, transfer to the court created herein all cases pending in the circuit court against persons charged with a misdemeanor, and such cases shall proceed as though begun therein. After the effective date of this act, every indictment returned by a grand jury of Limestone County which charges a person with a misdemeanor shall be transferred immediately to the court herein created and all subsequent proceedings on the indictment shall be had therein. (c) All civil cases at law or in equity now or hereafter pending in the circuit court may be transferred to the court herein created by agreement of parties; similarly, all civil cases at law where the amount claimed or involved exceeds fifty dollars, and all equity cases arising in the court herein created, may be transferred by agreement of the parties to the Circuit Court of Limestone County.

Section 14. Any funds on hand in the court abolished by this Act shall be transferred to the corresponding officer, department or fund of the court hereby created.

Section 15. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. All laws or parts of laws which conflict with this Act are repealed.

Section 17. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Baylis Hightower, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Treasurer of the Athens News Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 18, March 25, April 1, and April 8, all in the year 1969.

BAYLIS HIGHTOWER.

Sworn to and subscribed before me April 8, 1969.

LOLA L. ORR,
Notary Public.

By Messrs. Downing and Brannan:

H. 683. To amend Sections 71, 75, 76 and 82 of Title 10, Code of Alabama 1940, which provide for the exercise of the power of eminent domain by certain corporations and certain rights and limitations relating to such exercise of the power of eminent domain.

Business and Labor.

By Messrs. Downing and Brannan:

H. 684. To amend Section 88 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by adding pipeline companies to the corporations included in said Section 88.

Business and Labor.

By Messrs. Cook (Jefferson), Ellis, Adwell and Gloor:

H. 685. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to per-

form rescue or protective duties at a natural or man-made disaster exending beyond twenty-four hours.

Transportation.

By Messrs. Cook (Jefferson), Ellis, Adwell and Gloor:

H. 686. To revise and amend all of Section 58(9) of Title 36, 1940 Code of Alabama, as Recompiled 1958, regulating operation of vehicles on the highways.

Transportation.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 18. Mourning the death of Mr. Josh R. Burgess, father of Representative Ray Burgess.

Also:

H. J. R. 19. Congratulating Dr. Simril F. Bryant, Pastor of the First Presbyterian Church of Tuscaloosa, upon his retirement.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 24. Further regulating reports and returns relative to the Alabama sales and use taxes; requiring the makers of such reports and returns to show thereon, separately by county, the total amount of their taxable business done in all counties in this State having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census.

Was again taken up for consideration.

The question was on the amendment offered by Mr. Cook (Jefferson), which amendment was as follows:

Amend the title of H. B. 24 by deleting the period "." at the end of said title and substituting in lieu thereof in words and figures as follows:

"provided, however, the provisions of this Act shall impose no duties or obligations upon any person not within a county to which this Act applies."

Further amend H. B. 24 by adding as the last sentence of Section 1. as follows:

"The provisions of this Act shall impose no duties or obligations upon any person not within a county to which this Act applies."

Mr. McCorquodale offered the following substitute amendment to the amendment offered by Mr. Cook (Jefferson):

Amend H. B 24 by deleting the words "25,700 and not more than 106,000" wherever they appear and inserting in lieu thereof the following, "in all counties of this state having a population of less than 300,000."

The motion of Mr. Cook (Jefferson) to table the stubstitute amendment of Mr. McCorquodale was lost.

Yeas 35; Nays 43.

Yeas:

Messrs.:	Dill	Holman	Nettles
Adwell	Downing	House	Pennington
Bowers	Edington	Jackson (T)	Sessions
Cherner	Ellis	Kilgore	Springer
Collins (C)	Gafford	Malone	Waggoner
Collins (W)	Gloor	Marr	Weeks
Cook (Jefferson)	Grayson	McDonald	Wood
Crane	Harris	Meeks	Wright
Culver	Hill	Money	Yeilding

—35

Nays:

Mr. Speaker	Drake	Jackson (F)	Pearson
Agee	Fine	Jones	Pruitt
Bank	Foshee	Lemley	Robertson
Bassett	Garrett	Lyons	Snell
Berryman (R)	Graham	Manley	Starnes
Brannan	Grainger	Mathews	Steagall
Brassell	Harper	Mays	Stembridge
Brown	Headley	McCorquodale	Stubbs
Cameron	Higginbotham	Melton	Tuck
Collier	Hobbie	Neville	Williams
Cook (Coffee)	Holladay	Owen (Baldwin)	

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MOTION TO ADJOURN LOST

The motion of Mr. Manley to adjourn until 2 o'clock P. M., Tuesday, April 10, 1969, was lost.

Yeas 40; Nays 39.

Yeas:

Mr. Speaker	Crane	Higginbotham	Melton
Adwell	Culver	Hill	Neville
Berryman (R)	Dill	Holladay	Owen (Baldwin)
Bowers	Dobbs	Holman	Pruitt
Brannan	Downing	Jackson (T)	Shumate
Brassell	Drake	Kilgore	Starnes
Brown	Fine	Lemley	Steagall
Burgreen	Graham	Manley	Stembridge
Cameron	Harper	Marr	Tuck
Cook (Coffee)	Headley	Mathews	Williams

—40

Nays:

Messrs.:	Ellis	Lybrand	Pearson
Adwell	Foshee	Lyons	Pennington
Agee	Garrett	Malone	Robertson
Bank	Gloor	Mays	Sessions
Bassett	Grainger	McCorquodale	Smith
Cherner	Harris	McDonald	Stubbs
Collier	Hobbie	McElhaney	Waggoner
Collins (C)	House	Meeks	Weeks
Collins (W)	Jackson (F)	Money	Wright
Cook (Jefferson)	Jones	Nettles	Yeilding
Edington			

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ADJOURNMENT

On motion of Mr. Drake, the House adjourned until 2 o'clock P. M., Tuesday, June 10, 1969.

Yeas 48; Nays 36.

Yeas:

Mr. Speaker	Crane	Hill	Neville
Adwell	Dill	Holladay	Owen (Baldwin)
Bank	Dobbs	Holman	Owens (W)
Berryman (R)	Downing	House	Pruitt
Berryman (W)	Drake	Jackson (T)	Shumate
Blanton	Fine	Kilgore	Starnes
Bowers	Foshee	Lemley	Steagall
Brannan	Graham	Manley	Stembridge
Brassell	Grayson	Mathews	Tuck
Brown	Harper	Meeks	Waggoner
Burgreen	Headley	Melton	Weeks
Collier	Higginbotham	Merrill	Williams

—48

Nays:

Messrs.:	Ellis	Lybrand	Pennington
Agee	Gafford	Lyons	Robertson
Bassett	Garrett	Malone	Sessions
Cameron	Gloor	Marr	Smith
Cherner	Grainger	Mays	Snell
Collins (C)	Harris	McDonald	Stubbs
Collins (W)	Hobbie	McElhaney	Watkins
Cook (Jefferson)	Jackson (F)	Money	Wright
Culver	Jones	Nettles	Yeilding
Edington			

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NINTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 10, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Gardner Clark, Minister, Crestview Baptist Church, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Dobbs	Jones	Pennington
Agee	Doss	Kilgore	Perloff
Bank	Downing	Laxson	Pruitt
Bassett	Drake	Lemley	Robertson
Beck	Edington	Lybrand	Sessions
Berryman (R)	Ellis	Lyons	Shumate
Berryman (W)	Foshee	Malone	Slate
Blanton	Gafford	Manley	Smith
Bolton	Garrett	Marr	Snell
Bowers	Gloor	Mathews	Springer
Brannan	Graham	Mays	Starnes
Brassell	Grainger	McCorquodale	Steagall
Brown	Grayson	McDonald	Stembridge
Burgess	Hain	McElhaney	Stubbs
Burgreen	Hardin	McLain	Tuck
Cameron	Harper	Meade	Turnham
Cherner	Harris	Meeks	Waggoner
Collier	Haygood	Melton	Watkins
Collins (C)	Headley	Merrill	Weeks
Collins (W)	Higginbotham	Money	Williams
Cook (Coffee)	Hill	Nettles	Wood
Cook (Jefferson)	Hobbie	Neville	Wright
Crane	Holman	Owen (Baldwin)	Yeilding
Crawford	House	Owens (W)	Young
Culver	Jackson (F)	Owens (W.E.)	—103

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Merrill, leave of absence was granted to Mr. Fine due to illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the eighth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 21. Relative to permanent employees of the Legislature and their status under the Employees' Retirement System of Alabama.

Also:

H. J. R. 22. Relative to the status on the reemployment register of the State Personnel Board of certain legislative employees.

McDOWELL LEE,
Secretary.

MESSAGE FROM GIRLS STATE

Mr. Slate reminded the House that the Girls State of Alabama had met in legislative chambers last week, and when he returned to the House today he found on his desk a note which he read to the members of the House, the note being written by Teresa Brown who represented Morgan County in the Girls State, said note being as follows:

Dear Mr. Slate,

Thank you for allowing me the privilege of sitting here at your desk during our Girl's State session. I tried to do as good a job as you always do, but I probably never will quite make it.

Always remember that there are many more good kids in the world than there are bad, as that was really the purpose of having Girl's State. We are for good leadership and good government, and I am proud to have even merely been seated at your desk. Thank you.

TERESA BROWN,
Decatur.

Mr. Fite asked for unanimous consent to include the message from Teresa Brown in the Journal of the House, and the consent was given.

RESOLUTION

The following resolution was introduced:

By the Rules Committee:

H. R. 36. BE IT RESOLVED BY THE HOUSE That the following business in the order named be made special, paramount and continuing order of business for the Ninth Legislative Day, taking precedence over any other business of the House on this day:

Uncontested Local Bills

S. B. 51 Page 31

S. B. 52 Page 31

S. B. 53 Page 32

H. B. 13 Page 4

H. B. 333 Page 14

H. B. 370 Page 36

H. B. 5 Page 32

H. B. 427 Page 38

H. B. 428 Page 38

H. B. 20 Page 32

H. B. 21 Page 43
H. B. 28 Page 3
H. B. 311 Page 6
H. B. 313 Page 7
H. B. 314 Page 7
H. B. 315 Page 7
H. B. 316 Page 7
H. B. 324 Page 8
H. B. 325 Page 8
H. B. 349 Page 11
H. B. 255 Page 16
H. B. 310 Page 17
H. B. 141 Page 39
H. B. 108 Page 43
H. B. 288 Page 17
H. B. 111 Page 33
H. B. 342 Page 10
H. B. 120 Page 35
H. B. 81 Page 2
H. B. 272 Page 6
H. B. 197 Page 17
H. B. 590 Page 42

On motion of Mr. Merrill, the rules were suspended and H. R. 36 was adopted.

Yeas 53; Nays 37.

Yeas:

Mr. Speaker	Dobbs	Jones	Owen (Baldwin)
Agee	Doss	Lemley	Owens (W)
Bank	Downing	Manley	Pearson
Berryman (R)	Drake	Marr	Pennington
Berryman (W)	Foshee	Mathews	Pruitt
Blanton	Graham	Mays	Shumate
Brannan	Hain	McCorquodale	Slate
Brassell	Hardin	McDonald	Starnes
Brown	Harper	McElhaney	Steagall
Burgess	Headley	Meade	Stembridge
Burgreen	Higginbotham	Melton	Tuck
Collier	Hobbie	Merrill	Williams
Collins (W)	Jackson (F)	Neville	Young
Crawford			—53

Nays:

Messrs.:	Gafford	Laxson	Smith
Adwell	Garrett	Lybrand	Snell
Bolton	Gloor	Lyons	Turnham
Cameron	Grainger	Malone	Waggoner
Cherner	Harris	McLain	Watkins
Collins (C)	Haygood	Nettles	Weeks
Cook (Jefferson)	Hill	Perloff	Wood
Dill	Holman	Robertson	Wright
Edington	Jackson (T)	Sessions	Yeilding
Ellis	Kilgore		

—37

BILLS ON THIRD READING

The House proceeded to the consideration of the Special Order, as set forth in H. R. 36.

And the bill:

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owen (Baldwin)
Adwell	Doss	Jackson (T)	Owens (W)
Agee	Downing	Jones	Pearson
Bassett	Drake	Kilgore	Pennington
Berryman (R)	Edington	Laxson	Perloff
Berryman (W)	Ellis	Lemley	Pruitt
Blanton	Foshee	Lybrand	Robertson
Brannan	Garrett	Lyons	Sessions
Brassell	Gloor	Malone	Shumate
Burgess	Graham	Manley	Snell
Burgreen	Grainger	Marr	Starnes
Cameron	Grayson	Mathews	Steagall
Cherner	Hain	Mays	Stembridge
Collier	Hardin	McDonald	Stubbs
Collins (C)	Harper	McElhaney	Turnham
Collins (W)	Harris	McLain	Waggoner
Cook (Coffee)	Haygood	Meade	Weeks
Cook (Jefferson)	Headley	Melton	Williams
Crane	Hill	Merrill	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holman	Neville	Yeilding
Dill	House		

—86

And the bill:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owen (Baldwin)
Adwell	Dobbs	Jackson (T)	Owens (W)
Agee	Doss	Jones	Pennington
Bank	Downing	Kilgore	Perloff
Bassett	Drake	Laxson	Pruitt
Berryman (R)	Edington	Lemley	Robertson
Berryman (W)	Ellis	Lybrand	Shumate
Blanton	Foshee	Lyons	Smith
Bolton	Garrett	Malone	Snell
Brannan	Gloor	Manley	Starnes
Brassell	Graham	Marr	Steagall
Burgess	Grainger	Mathews	Stembridge
Burgreen	Grayson	Mays	Stubbs
Cameron	Hain	McCorquodale	Tuck
Cherner	Hardin	McDonald	Turnham
Collier	Harper	McElhaney	Waggoner
Collins (C)	Harris	McLain	Weeks
Collins (W)	Headley	Meade	Williams
Cook (Coffee)	Hill	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Yeilding
Crane	Holman	Nettles	Young
Crawford	House	Neville	—87

RESOLUTION

The following resolution was introduced:

By Messrs. Jackson (F) and Foshee:

H. J. R. 37. WHEREAS, the Ninety-ninth Anniversary of the Annual Masonic Day Celebration will be held in Florala, Alabama, on June 24, 1969, which is Saint John's Day; and

WHEREAS, this commemorative exercise was instituted in 1870 by St. Chapel Masonic Lodge No. 377 at Chapel Hill, which Lodge was in 1873 named Lake City Lodge No. 377, and thereafter in 1912 consolidated with Fidelity Lodge F. & A. M. No. 685 at Florala. The celebration has been remarkably successful over the years in attracting outstanding statesmen and patriots as speakers and participants. Many dignitaries of the Masonic Order have likewise joined in these events, which have meant so much to the Masons and to the people; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend the fine organizations that are responsible for arranging these gala and festive occasions, and we join in welcoming to the forthcoming Annual Celebration the throng who will be afforded an opportunity to participate in this delightful and entertaining event.

RESOLVED FURTHER, That copies of this Resolution shall be sent to the Secretary of Fidelity Lodge F. & A. M. No. 685 at Florala, to the Grand Lodge F. & A. M., Montgomery, Alabama, and to the publishers of the Florala News.

On motion of Mr. Jackson (F), the rules were suspended and H. J. R. 37 was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Kilgore	Pennington
Adwell	Dill	Laxson	Perloff
Agee	Dobbs	Lemley	Pruitt
Bank	Doss	Lybrand	Robertson
Bassett	Downing	Lyons	Sessions
Beck	Drake	Malone	Shumate
Berryman (R)	Edington	Manley	Snell
Berryman (W)	Ellis	Marr	Starnes
Blanton	Foshee	Mays	Steagall
Brannan	Garrett	McCorquodale	Stembridge
Brassell	Graham	McDonald	Stubbs
Burgess	Grainger	McElhaney	Tuck
Burgreen	Grayson	McLain	Turnham
Cameron	Hain	Meade	Waggoner
Cherner	Hardin	Melton	Watkins
Collier	Harper	Merrill	Weeks
Collins (W)	Headley	Nettles	Williams
Cook (Coffee)	Hill	Neville	Wood
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wright
Crane	Holman	Owens (W)	Yeilding
Crawford	Jones	Pearson	Young

—84

PASSAGE OF BILLS CONTINUED

And the bill:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was taken up.

MOTION TO CARRY OVER GRANTED

The motion of Mr. Crawford to carry over the bill, H. 255, to the Tenth Legislative Day was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cameron	Foshee	Lemley
Adwell	Cherner	Garrett	Lybrand
Agee	Collier	Graham	Lyons
Bank	Collins (C)	Grainger	Malone
Bassett	Collins (W)	Grayson	Manley
Beck	Cook (Coffee)	Hain	Marr
Berryman (R)	Cook (Jefferson)	Hardin	Mathews
Berryman (W)	Crane	Harper	Mays
Blanton	Crawford	Harris	McCorquodale
Bolton	Culver	Higginbotham	McElhaney
Bowers	Dill	Hobbie	McLain
Brannan	Doss	Holman	Meade
Brassell	Downing	Jackson (F)	Melton
Brown	Drake	Jones	Merrill
Burgess	Edington	Kilgore	Money
Burgreen	Ellis	Laxson	Nettles

Neville	Robertson	Stubbs	Williams
Owen (Baldwin)	Shumate	Tuck	Wood
Owens (W)	Slate	Turnham	Wright
Pearson	Starnes	Waggoner	Yeilding
Pennington	Steagall	Weeks	Young
Perloff	Stembridge		

—86

And the bill:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crane	Jones	Pennington
Adwell	Crawford	Kilgore	Perloff
Agee	Culver	Laxson	Robertson
Bank	Dill	Lemley	Sessions
Bassett	Doss	Lybrand	Shumate
Beck	Downing	Lyons	Slate
Berryman (R)	Drake	Malone	Snell
Berryman (W)	Edington	Manley	Springer
Blanton	Ellis	Marr	Starnes
Bowers	Foshee	Mays	Steagall
Brannan	Garrett	McElhaney	Stembridge
Brassell	Graham	McLain	Stubbs
Brown	Grainger	Meade	Tuck
Burgess	Grayson	Melton	Turnham
Burgreen	Hain	Merrill	Waggoner
Cameron	Hardin	Money	Weeks
Cherner	Harper	Nettles	Williams
Collier	Higginbotham	Neville	Wood
Collins (C)	Hobbie	Owen (Baldwin)	Wright
Collins (W)	Holman	Owens (W)	Yeilding
Cook (Coffee)	Jackson (T)	Pearson	Young
Cook (Jefferson)			

—85

And the bill:

H. 273. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Berryman (R)	Brassell	Collier
Adwell	Berryman (W)	Brown	Collins (C)
Agee	Blanton	Burgess	Collins (W)
Bank	Bolton	Burgreen	Cook (Coffee)
Bassett	Bowers	Cameron	Cook (Jefferson)
Beck	Brannan	Cherner	Crane

Crawford	Higginbotham	McElhaney	Snell
Culver	Hill	McLain	Springer
Dill	Hobbie	Meade	Starnes
Doss	Holman	Melton	Steagall
Downing	House	Merrill	Stembridge
Drake	Jackson (F)	Money	Stubbs
Edington	Jackson (T)	Nettles	Tuck
Ellis	Jones	Neville	Turnham
Foshee	Kilgore	Owen (Baldwin)	Waggoner
Garrett	Laxson	Owens (W)	Watkins
Graham	Lemley	Pearson	Weeks
Grainger	Lybrand	Pennington	Williams
Grayson	Lyons	Perloff	Wood
Hain	Malone	Robertson	Wright
Hardin	Manley	Sessions	Yeilding
Harper	Marr	Shumate	Young
Harris	Mays	Slate	—91

And the bill:

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W)
Adwell	Doss	Jones	Pearson
Agee	Downing	Kilgore	Pennington
Bassett	Drake	Laxson	Perloff
Beck	Edington	Lemley	Robertson
Berryman (R)	Ellis	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Shumate
Blanton	Gafford	Malone	Slate
Bolton	Garrett	Manley	Snell
Brannan	Graham	Marr	Starnes
Brassell	Grainger	Mays	Steagall
Brown	Grayson	McCorquodale	Stembridge
Burgess	Hain	McDonald	Stubbs
Burgreen	Hardin	McElhaney	Tuck
Cameron	Harper	McLain	Turnham
Cherner	Harris	Meade	Waggoner
Collier	Headley	Melton	Weeks
Collins (W)	Higginbotham	Merrill	Williams
Cook (Coffee)	Hill	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Crawford	House	Owen (Baldwin)	Young
Culver	Jackson (F)		—90

And the bill:

H. 242. To provide for the compensation of jurors in Cullman County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Culver	Holman	Owen (Baldwin)
Adwell	Dill	House	Owens (W)
Agee	Doss	Jackson (F)	Pearson
Bassett	Downing	Jackson (T)	Pennington
Beck	Drake	Jones	Perloff
Berryman (R)	Edington	Kilgore	Robertson
Berryman (W)	Ellis	Laxson	Sessions
Blanton	Foshee	Lemley	Shumate
Bowers	Gafford	Lybrand	Slate
Brannan	Garrett	Lyons	Smith
Brassell	Gloor	Malone	Snell
Brown	Graham	Manley	Starnes
Burgess	Grainger	Marr	Steagall
Burgreen	Grayson	Mays	Stembridge
Cameron	Hain	McDonald	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Waggoner
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Higginbotham	Merrill	Williams
Cook (Jefferson)	Hill	Money	Yeilding
Crane	Hobbie	Neville	Young
Crawford			

—89

And the bill:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Culver	House	Owens (W)
Adwell	Dill	Jackson (F)	Pearson
Agee	Doss	Jackson (T)	Pennington
Bassett	Downing	Jones	Perloff
Beck	Drake	Kilgore	Sessions
Berryman (R)	Edington	Laxson	Shumate
Berryman (W)	Ellis	Lemley	Slate
Blanton	Foshee	Lyons	Smith
Bowers	Gafford	Malone	Snell
Brannan	Garrett	Manley	Starnes
Brassell	Graham	Marr	Steagall
Brown	Grainger	Mays	Stembridge
Burgess	Grayson	McDonald	Stubbs
Burgreen	Hain	McElhaney	Tuck
Cameron	Hardin	McLain	Turnham
Cherner	Harper	Meade	Waggoner
Collier	Harris	Melton	Weeks
Collins (C)	Haygood	Merrill	Williams
Collins (W)	Higginbotham	Money	Wood
Cook (Coffee)	Hill	Nettles	Wright
Cook (Jefferson)	Hobbie	Neville	Yeilding
Crane	Holman	Owen (Baldwin)	Young
Crawford			

—89

And the bill:

H. 244. To amend further Section 3 of Act No. 18, H. 6, First Special Session 1955 (Acts 1955, p. 45), creating the Cullman County Commission on Education and establishing the office of superintendent of county schools, so as to provide further for the qualifications of said superintendent; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pearson
Adwell	Downing	Jones	Pennington
Agee	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Robertson
Beck	Foshee	Lemley	Sessions
Berryman (R)	Gafford	Lybrand	Shumate
Berryman (W)	Garrett	Lyons	Slate
Blanton	Gloor	Malone	Smith
Brannan	Graham	Manley	Snell
Brassell	Grainger	Marr	Starnes
Burgess	Grayson	Mays	Steagall
Burgreen	Hain	McCorquodale	Stembridge
Cameron	Hardin	McDonald	Stubbs
Cherner	Harper	McElhaney	Tuck
Collier	Harris	McLain	Turnham
Collins (C)	Haygood	Meade	Waggoner
Collins (W)	Headley	Melton	Watkins
Cook (Coffee)	Higginbotham	Merrill	Weeks
Cook (Jefferson)	Hill	Money	Williams
Crane	Hobbie	Nettles	Wood
Crawford	Holman	Neville	Wright
Culver	House	Owen (Baldwin)	Yeilding
Dill	Jackson (F)	Owens (W)	Young

—92

And the bill:

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dill	Hardin
Adwell	Burgreen	Doss	Harper
Agee	Cameron	Downing	Harris
Bank	Cherner	Drake	Haygood
Bassett	Collier	Edington	Headley
Beck	Collins (C)	Foshee	Higginbotham
Berryman (R)	Collins (W)	Garrett	Hill
Berryman (W)	Cook (Coffee)	Gloor	Hobbie
Blanton	Cook (Jefferson)	Graham	Holman
Brannan	Crane	Grainger	House
Brassell	Crawford	Grayson	Jackson (F)
Brown	Culver	Hain	Jackson (T)

Jones	McLain	Perloff	Stubbs
Kilgore	Melton	Sessions	Tuck
Laxson	Merrill	Shumate	Turnham
Lemley	Money	Slate	Waggoner
Lybrand	Nettles	Smith	Weeks
Lyons	Neville	Snell	Williams
Malone	Owen (Baldwin)	Springer	Wood
Manley	Owens (W)	Starnes	Wright
Marr	Pearson	Steagall	Yeilding
Mays	Pennington	Stembridge	Young
McElhaney			

—89

And the bill:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nay 1.

Yeas:

Mr. Speaker	Crawford	Holman	Owen (Baldwin)
Adwell	Culver	Jackson (F)	Owens (W)
Agee	Dill	Jackson (T)	Pearson
Bank	Downing	Jones	Pennington
Bassett	Drake	Laxson	Perloff
Beck	Edington	Lemley	Robertson
Berryman (R)	Ellis	Lybrand	Shumate
Blanton	Foshee	Lyons	Slate
Bowers	Garrett	Malone	Smith
Brannan	Gloor	Manley	Snell
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgess	Grayson	McCorquodale	Stembridge
Burgreen	Hain	McDonald	Stubbs
Cameron	Hardin	McElhaney	Tuck
Cherner	Harper	McLain	Turnham
Collier	Harris	Melton	Waggoner
Collins (C)	Haygood	Merrill	Williams
Collins (W)	Headley	Money	Wright
Cook (Coffee)	Higginbotham	Nettles	Yeilding
Cook (Jefferson)	Hobbie	Neville	Young

—84

Nay: Mr. Sessions —1

And the bill:

H. 417 (with amendment). Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,300 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said amendment being as follows:

In the title and in Section 1, strike out the figures 16,300, and insert in lieu thereof the figures: 16,500

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Crawford	Holman	Pearson
Adwell	Culver	Jackson (F)	Pennington
Agee	Dill	Jackson (T)	Perloff
Bank	Doss	Jones	Pruitt
Bassett	Downing	Kilgore	Robertson
Beck	Drake	Laxson	Shumate
Berryman (R)	Edington	Lemley	Slate
Berryman (W)	Ellis	Lybrand	Smith
Blanton	Foshee	Lyons	Snell
Bowers	Gafford	Malone	Springer
Brannan	Garrett	Manley	Starnes
Brassell	Graham	Marr	Steagall
Brown	Grainger	Mays	Stembridge
Burgess	Grayson	McCorquodale	Stubbs
Burgreen	Hain	McElhaney	Tuck
Cameron	Hardin	McLain	Turnham
Cherner	Harper	Meade	Waggoner
Collier	Harris	Melton	Watkins
Collins (C)	Haygood	Merrill	Weeks
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wright
Cook (Jefferson)	Hill	Neville	Yeilding
Crane	Hobbie	Owens (W)	Young

—92

And the bill, H. 417, as thus amended:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,500 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owens (W)
Adwell	Dill	Jackson (T)	Pearson
Agee	Doss	Jones	Pennington
Bassett	Drake	Kilgore	Perloff
Berryman (R)	Edington	Laxson	Pruitt
Berryman (W)	Ellis	Lemley	Robertson
Blanton	Foshee	Lybrand	Shumate
Bolton	Gafford	Lyons	Slate
Bowers	Garrett	Malone	Smith
Brannan	Graham	Manley	Snell
Brassell	Grainger	Marr	Springer
Brown	Grayson	Mathews	Starnes
Burgess	Hain	Mays	Steagall
Burgreen	Hardin	McCorquodale	Stembridge
Cameron	Harper	McElhaney	Stubbs
Cherner	Harris	McLain	Tuck
Collier	Haygood	Meade	Turnham
Collins (C)	Headley	Melton	Watkins
Collins (W)	Higginbotham	Merrill	Weeks
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Crawford	House	Owen (Baldwin)	Young

—92

And the bill:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owens (W)
Adwell	Doss	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Laxson	Pruitt
Berryman (R)	Ellis	Lemley	Robertson
Berryman (W)	Foshee	Lybrand	Sessions
Blanton	Gafford	Lyons	Shumate
Bowers	Garrett	Malone	Slate
Brannan	Gloor	Manley	Smith
Brassell	Graham	Marr	Snell
Brown	Grainger	Mathews	Starnes
Burgess	Grayson	Mays	Steagall
Burgreen	Hain	McCorquodale	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harper	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Weeks
Cook (Coffee)	Higginbotham	Money	Williams
Cook (Jefferson)	Hill	Nettles	Wright
Crane	Hobbie	Neville	Yeilding
Crawford	Holman	Owen (Baldwin)	Young
Culver	House		—94

MOTION TO RECOMMIT ADOPTED

On motion of Mr. Meade, the rules were suspended and the following motion in writing was adopted:

I move to recommit all bills on calendar for third reading which at the time of the placement on said calendar of said bill failed to comply with House Rule No. 59.

H. B. 195 Page 1

H. B. 312 Page 6

H. B. 61 Page 52

H. B. 63 Page 52

H. B. 64 Page 52

H. B. 65 Page 52

H. B. 103 Page 54

H. B. 104 Page 54

PASSAGE OF BILLS CONTINUED

And the bill:

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owen (Baldwin)
Adwell	Drake	Jones	Owens (W)
Agee	Edington	Kilgore	Pearson
Bassett	Ellis	Laxson	Pennington
Berryman (R)	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lybrand	Robertson
Blanton	Garrett	Lyons	Sessions
Bolton	Gloor	Malone	Shumate
Bowers	Graham	Manley	Slate
Brannan	Grainger	Marr	Starnes
Brassell	Grayson	Mathews	Steagall
Brown	Hain	Mays	Stembridge
Burgess	Hardin	McCorquodale	Stubbs
Burgreen	Harris	McDonald	Tuck
Cameron	Haygood	McElhaney	Turnham
Cherner	Headley	McLain	Waggoner
Collier	Higginbotham	Meade	Weeks
Collins (W)	Hill	Melton	Williams
Cook (Coffee)	Hobbie	Merrill	Wood
Cook (Jefferson)	Holman	Money	Wright
Crane	House	Nettles	Yeilding
Crawford	Jackson (F)	Neville	Young
Dill			—89

And the bill:

H. 434. Relating to counties having a population of not less than 76,000 nor more than 96,000 according to the last or any subsequent federal decennial census; regulating newspaper publication of lists of registered electors in such counties.

Was taken up.

MOTION TO INDEFINITELY POSTPONE ADOPTED

On motion of Mr. Merrill, the bill, H. 434, was indefinitely postponed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Bolton	Cameron	Crawford
Adwell	Bowers	Cherner	Culver
Agee	Brannan	Collier	Dill
Beck	Brassell	Collins (W)	Downing
Berryman (R)	Brown	Cook (Coffee)	Drake
Berryman (W)	Burgess	Cook (Jefferson)	Edington
Blanton	Burgreen	Crane	Ellis

Foshee	House	Meade	Slate
Gafford	Jackson (F)	Melton	Smith
Garrett	Jackson (T)	Merrill	Starnes
Gloor	Jones	Money	Steagall
Graham	Kilgore	Nettles	Stembridge
Grainger	Laxson	Neville	Stubbs
Grayson	Lemley	Owen (Baldwin)	Tuck
Hain	Lybrand	Owens (W)	Turnham
Harris	Lyons	Pearson	Waggoner
Haygood	Manley	Pennington	Watkins
Higginbotham	Marr	Perloff	Weeks
Hill	Mays	Robertson	Williams
Hobbie	McDonald	Sessions	Wright
Holman	McElhaney	Shumate	Young

—84

And the bill:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owens (W)
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jackson (T)	Pennington
Bassett	Drake	Jones	Perloff
Berryman (R)	Edington	Kilgore	Robertson
Berryman (W)	Ellis	Laxson	Sessions
Blanton	Foshee	Lemley	Shumate
Bolton	Gafford	Lybrand	Smith
Bowers	Garrett	Lyons	Springer
Brannan	Gloor	Malone	Starnes
Brassell	Graham	Manley	Steagall
Burgess	Grainger	Marr	Stembridge
Burgreen	Grayson	Mays	Stubbs
Cameron	Hain	McDonald	Tuck
Cherner	Hardin	McElhaney	Turnham
Collier	Harris	McLain	Waggoner
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Crane	Hill	Nettles	Wright
Crawford	Hobbie	Neville	Yeilding
Culver	Holman	Owen (Baldwin)	Young

—88

And the bill:

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Pearson
Adwell	Doss	Jackson (T)	Pennington
Agee	Downing	Jones	Perloff
Bassett	Drake	Kilgore	Pruitt
Berryman (R)	Edington	Laxson	Robertson
Berryman (W)	Ellis	Lemley	Sessions
Blanton	Foshee	Lybrand	Shumate
Bowers	Gafford	Lyons	Slate
Brannan	Garrett	Malone	Smith
Brassell	Gloor	Marr	Starnes
Brown	Graham	Mathews	Steagall
Burgess	Grainger	Mays	Stembridge
Burgreen	Grayson	McCorquodale	Stubbs
Cameron	Hain	McElhaney	Tuck
Cherner	Hardin	McLain	Turnham
Collier	Harris	Meade	Waggoner
Collins (C)	Haygood	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hill	Nettles	Wright
Crane	Hobbie	Neville	Yeilding
Crawford	Holman	Owen (Baldwin)	Young
Culver	House	Owens (W)	—91

And the bill:

H. 455. To levy in Escambia County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nay 1.

Yeas:

Mr. Speaker	Brannan	Collins (C)	Doss
Agee	Brassell	Collins (W)	Downing
Bassett	Brown	Cook (Coffee)	Drake
Beck	Burgess	Cook (Jefferson)	Edington
Berryman (R)	Burgreen	Crane	Ellis
Berryman (W)	Cameron	Crawford	Foshee
Blanton	Cherner	Culver	Gafford
Bolton	Collier	Dill	Garrett

Graham	Laxson	Melton	Smith
Grainger	Lemley	Merrill	Starnes
Grayson	Lybrand	Money	Steagall
Hain	Lyons	Nettles	Stembridge
Hardin	Malone	Neville	Stubbs
Haygood	Manley	Owen (Baldwin)	Tuck
Higginbotham	Marr	Owens (W)	Turnham
Hill	Mathews	Pearson	Waggoner
Hobbie	Mays	Pennington	Weeks
Holman	McCorquodale	Perloff	Williams
House	McElhaney	Sessions	Wood
Jackson (F)	McLain	Shumate	Yeilding
Jones	Meade	Slate	Young
Kilgore			—85

Nay: Mr. Gloor —1

And the bill:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Dobbs	Jones	Pennington
Agee	Doss	Kilgore	Perloff
Bassett	Downing	Laxson	Pruitt
Beck	Drake	Lemley	Robertson
Berryman (W)	Edington	Lybrand	Sessions
Blanton	Ellis	Lyons	Shumate
Bolton	Foshee	Malone	Slate
Bowers	Gafford	Manley	Smith
Brannan	Garrett	Marr	Starnes
Brassell	Gloor	Mathews	Steagall
Brown	Graham	Mays	Stembridge
Burgess	Grainger	McCorquodale	Stubbs
Burgreen	Grayson	McElhaney	Tuck
Cherner	Hain	McLain	Turnham
Collier	Hardin	Meade	Waggoner
Collins (C)	Harris	Melton	Weeks
Collins (W)	Haygood	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hill	Nettles	Wright
Crane	Hobbie	Neville	Yeilding
Crawford	Holman	Owen (Baldwin)	Young
Culver	Jackson (F)	Owens (W)	—91

And the bill:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the

act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owens (W)
Adwell	Dill	Jackson (T)	Pearson
Agee	Dobbs	Jones	Pennington
Bassett	Doss	Kilgore	Perloff
Beck	Downing	Laxson	Pruitt
Berryman (R)	Drake	Lemley	Robertson
Berryman (W)	Edington	Lybrand	Sessions
Blanton	Ellis	Lyons	Shumate
Bowers	Foshee	Malone	Smith
Brannan	Gafford	Manley	Starnes
Brassell	Graham	Marr	Steagall
Brown	Grainger	Mays	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hardin	McLain	Tuck
Cameron	Harris	Meade	Turnham
Cherner	Haygood	Melton	Waggoner
Collins (W)	Higginbotham	Merrill	Williams
Cook (Coffee)	Hill	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	Holman	Neville	Yeilding
Crawford	House	Owen (Baldwin)	Young

—84

And the bill:

H. 465. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crane	Foshee
Adwell	Brown	Crawford	Gafford
Agee	Burgess	Culver	Graham
Bassett	Burgreen	Dill	Grainger
Beck	Cameron	Dobbs	Grayson
Berryman (R)	Cherner	Doss	Hain
Berryman (W)	Collier	Downing	Hardin
Blanton	Collins (W)	Drake	Harris
Bowers	Cook (Coffee)	Edington	Haygood
Brannan	Cook (Jefferson)	Ellis	Higginbotham

Hill	Malone	Nettles	Steagall
Hobbie	Manley	Neville	Stembridge
Holman	Marr	Owen (Baldwin)	Stubbs
House	Mathews	Owens (W)	Tuck
Jackson (F)	Mays	Pearson	Turnham
Jackson (T)	McCorquodale	Pennington	Waggoner
Jones	McElhaney	Perloff	Williams
Kilgore	McLain	Pruitt	Wood
Laxson	Meade	Robertson	Wright
Lemley	Melton	Sessions	Yeilding
Lybrand	Merrill	Shumate	Young
Lyons	Money	Starnes	

—87

And the bill:

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according to the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the

right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Neville
Agee	Dill	Jackson (T)	Owen (Baldwin)
Bassett	Dobbs	Jones	Owens (W)
Beck	Doss	Kilgore	Pearson
Berryman (R)	Downing	Laxson	Pennington
Berryman (W)	Drake	Lemley	Perloff
Blanton	Edington	Lybrand	Pruitt
Bowers	Ellis	Lyons	Sessions
Brannan	Foshee	Malone	Shumate
Brassell	Graham	Manley	Starnes
Brown	Grainger	Marr	Steagall
Burgess	Grayson	Mathews	Stembridge
Burgreen	Hain	Mays	Stubbs
Cameron	Hardin	McCorquodale	Tuck
Collier	Harris	McElhaney	Turnham
Collins (C)	Haygood	McLain	Waggoner
Collins (W)	Higginbotham	Meade	Williams
Cook (Coffee)	Hill	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holman	Money	Young
Crawford	House	Nettles	—83

And the bill:

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Ellis
Adwell	Brassell	Cook (Jefferson)	Foshee
Agee	Brown	Crawford	Gafford
Bassett	Burgess	Culver	Graham
Beck	Burgreen	Dobbs	Grainger
Berryman (R)	Cameron	Doss	Grayson
Berryman (W)	Cherner	Downing	Hain
Blanton	Collier	Drake	Hardin
Bowers	Collins (W)	Edington	Harris

Higginbotham	Manley	Neville	Steagall
Hobbie	Marr	Owen (Baldwin)	Stembridge
Holman	Mathews	Owens (W)	Stubbs
House	Mays	Pearson	Tuck
Jackson (F)	McCorquodale	Pennington	Turnham
Jackson (T)	McElhaney	Perloff	Waggoner
Jones	McLain	Pruitt	Williams
Kilgore	Meade	Robertson	Wood
Laxson	Melton	Sessions	Wright
Lemley	Merrill	Shumate	Yeilding
Lybrand	Money	Slate	Young
Lyons	Nettles	Starnes	

—83

And the bill:

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or such county separately, or with any department or agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W)
Adwell	Dobbs	Jones	Pearson
Agee	Doss	Kilgore	Pennington
Bassett	Downing	Laxson	Perloff
Beck	Drake	Lemley	Pruitt
Berryman (W)	Edington	Lybrand	Robertson
Blanton	Ellis	Lyons	Sessions
Bowers	Foshee	Malone	Shumate
Brannan	Gafford	Manley	Slate
Brassell	Garrett	Marr	Starnes
Brown	Graham	Mathews	Steagall
Burgess	Grainger	Mays	Stembridge
Burgreen	Grayson	McCorquodale	Stubbs
Cherner	Hain	McElhaney	Tuck
Collier	Hardin	McLain	Turnham
Collins (C)	Harris	Meade	Waggoner
Collins (W)	Higginbotham	Melton	Weeks
Cook (Coffee)	Hill	Merrill	Williams
Cook (Jefferson)	Hobbie	Money	Wood
Crane	Holman	Nettles	Wright
Crawford	House	Neville	Yeilding
Culver	Jackson (F)	Owen (Baldwin)	Young

—88

And the bill:

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is

located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (T)	Owens (W)
Adwell	Dill	Jones	Pearson
Agee	Dobbs	Kilgore	Pennington
Bassett	Doss	Laxson	Perloff
Beck	Downing	Lemley	Pruitt
Berryman (R)	Drake	Lybrand	Robertson
Berryman (W)	Edington	Malone	Sessions
Blanton	Ellis	Manley	Shumate
Bowers	Foshee	Marr	Slate
Brannan	Gafford	Mathews	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hain	McLain	Turnham
Cherner	Hardin	Meade	Waggoner
Collier	Harris	Melton	Weeks
Collins (W)	Higginbotham	Merrill	Williams
Cook (Coffee)	Hobbie	Money	Wood
Cook (Jefferson)	Holman	Nettles	Wright
Crane	House	Neville	Yeilding
Crawford	Jackson (F)	Owen (Baldwin)	Young

—84

And the bill:

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cherner	Crawford
Adwell	Bowers	Collier	Culver
Agee	Brannan	Collins (C)	Dill
Bassett	Brassell	Collins (W)	Dobbs
Beck	Brown	Cook (Coffee)	Doss
Berryman (R)	Burgess	Cook (Jefferson)	Downing
Berryman (W)	Burgreen	Crane	Drake

Edington	Jackson (F)	Melton	Starnes
Ellis	Jackson (T)	Merrill	Steagall
Foshee	Jones	Money	Stembridge
Gafford	Kilgore	Nettles	Stubbs
Graham	Laxson	Neville	Tuck
Grainger	Lemley	Owen (Baldwin)	Turnham
Grayson	Lybrand	Owens (W)	Waggoner
Hain	Malone	Pearson	Watkins
Hardin	Manley	Pennington	Weeks
Harris	Marr	Perloff	Williams
Headley	Mays	Pruitt	Wood
Higginbotham	McCorquodale	Robertson	Wright
Hobbie	McElhaney	Sessions	Yeilding
Holman	McLain	Shumate	Young
House	Meade	Slate	—87

And the bill:

H. 471. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Pennington
Adwell	Downing	Kilgore	Perloff
Agee	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Berryman (R)	Ellis	Lybrand	Sessions
Berryman (W)	Foshee	Lyons	Shumate
Blanton	Gafford	Malone	Starnes
Bowers	Garrett	Manley	Steagall
Brannan	Graham	Marr	Stembridge
Brassell	Grainger	Mays	Stubbs
Brown	Grayson	McCorquodale	Tuck
Burgess	Hain	McElhaney	Turnham
Burgreen	Hardin	McLain	Waggoner
Cherner	Harris	Melton	Watkins
Collier	Headley	Merrill	Weeks
Collins (C)	Higginbotham	Money	Williams
Collins (W)	Hobbie	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (F)	Owens (W)	Young
Dill	Jackson (T)	Pearson	—83

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 21. Relative to permanent employees of the Legislature being covered under the Employees' Retirement System of Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 22. Directing the State Personnel Board to amend certain rule relative to a reemployment register.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 475. To amend further Act No. 452, H. 974, Regular Session 1955, an act providing for adoption of the mayor-council form of government in cities having populations of more than 300,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 6.

Yeas:

Mr. Speaker	Drake	Lemley	Pruitt
Adwell	Ellis	Lybrand	Robertson
Agee	Foshee	Lyons	Shumate
Bassett	Gafford	Malone	Snell
Berryman (R)	Garrett	Manley	Starnes
Berryman (W)	Graham	Marr	Steagall
Blanton	Grainger	Mays	Stembridge
Bowers	Grayson	McElhaney	Stubbs
Brannan	Hain	McLain	Tuck
Brassell	Hardin	Melton	Turnham
Brown	Harris	Merrill	Waggoner
Burgreen	Hobbie	Nettles	Watkins
Collier	Holman	Neville	Weeks
Collins (W)	Jackson (F)	Owen (Baldwin)	Williams
Crane	Jones	Owens (W)	Wood
Crawford	Kilgore	Pennington	Wright
Dobbs	Laxson	Perloff	Young
Downing			—69

Nays:

Messrs.:	Gloor	Money	Yeilding	
Cook (Jefferson)	House	Sessions		—6

And the bill:

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, Et Seq.), as amended, entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W)	
Adwell	Dobbs	Jones	Pearson	
Agee	Downing	Kilgore	Pennington	
Bassett	Drake	Laxson	Perloff	
Beck	Edington	Lemley	Pruitt	
Berryman (R)	Ellis	Lybrand	Robertson	
Berryman (W)	Foshee	Lyons	Sessions	
Blanton	Gafford	Malone	Shumate	
Bowers	Garrett	Manley	Snell	
Brannan	Graham	Marr	Starnes	
Brassell	Grainger	Mays	Steagall	
Brown	Grayson	McCorquodale	Stembridge	
Burgess	Hain	McElhaney	Stubbs	
Burgreen	Hardin	McLain	Tuck	
Collier	Harper	Meade	Turnham	
Collins (W)	Headley	Melton	Waggoner	
Cook (Coffee)	Higginbotham	Merrill	Weeks	
Cook (Jefferson)	Hobbie	Money	Williams	
Crane	Holman	Nettles	Wood	
Crawford	House	Neville	Young	
Culver	Jackson (F)	Owen (Baldwin)		—83

And the bill:

H. 442. Relating to counties having a population of not less than 10,800 nor more than 12,000 according to the last and any succeeding Federal Decennial Census, providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (T)	Owen (Baldwin)
Adwell	Dill	Jones	Owens (W)
Agee	Dobbs	Kilgore	Pearson
Bassett	Downing	Laxson	Perloff
Beck	Drake	Lemley	Pruitt
Berryman (W)	Edington	Lybrand	Robertson
Blanton	Ellis	Lyons	Sessions
Bowers	Foshee	Malone	Shumate
Brannan	Gafford	Manley	Snell
Brassell	Garrett	Marr	Starnes
Brown	Graham	Mays	Steagall
Burgess	Grainger	McCorquodale	Stubbs
Burgreen	Grayson	McElhaney	Tuck
Cherner	Hain	McLain	Turnham
Collier	Hardin	Meade	Weeks
Collins (C)	Harper	Melton	Williams
Collins (W)	Headley	Merrill	Wood
Cook (Coffee)	Higginbotham	Money	Wright
Cook (Jefferson)	Hobbie	Nettles	Yeilding
Crane	Holman	Neville	Young
Crawford	Jackson (F)		

—82

And the bill:

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and election of members of such court of county commissioners by the county at large.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)
Agee	Doss	Jones	Pearson
Bassett	Downing	Kilgore	Pennington
Beck	Drake	Laxson	Perloff
Berryman (R)	Edington	Lemley	Pruitt
Berryman (W)	Ellis	Lybrand	Robertson
Blanton	Foshee	Lyons	Sessions
Brannan	Gafford	Malone	Shumate
Brassell	Garrett	Manley	Slate
Brown	Graham	Marr	Smith
Burgess	Grainger	Mays	Snell
Burgreen	Grayson	McCorquodale	Starnes
Cherner	Hain	McElhaney	Steagall
Collier	Hardin	McLain	Stembridge
Collins (C)	Harper	Meade	Stubbs
Collins (W)	Headley	Melton	Tuck
Cook (Coffee)	Higginbotham	Merrill	Turnham
Cook (Jefferson)	Hobbie	Money	Williams
Crane	Holman	Nettles	Wood
Crawford	House	Neville	Wright
Culver	Jackson (F)	Owen (Baldwin)	Young
Dill			

—85

And the bill:

H. 500. To amend further Code of Alabama Title 51, Section 647 in relation to the rates of excise taxes levied on gasoline and aviation fuel.

Was taken up.

On motion of Mr. Owen, by unanimous consent the bill, H. 500, was recommitted to the Standing Committee on Conservation.

And the bill:

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owens (W)
Agee	Dill	Jackson (T)	Pearson
Bassett	Dobbs	Jones	Perloff
Beck	Downing	Kilgore	Pruitt
Berryman (R)	Drake	Laxson	Robertson
Berryman (W)	Edington	Lemley	Shumate
Blanton	Ellis	Lybrand	Smith
Bowers	Foshee	Lyons	Snell
Brannan	Gafford	Malone	Starnes
Brassell	Gloor	Manley	Steagall
Brown	Graham	Marr	Stembridge
Burgess	Grainger	Mays	Stubbs
Burgreen	Grayson	McCorquodale	Tuck
Cherner	Hain	McElhaney	Turnham
Collier	Hardin	McLain	Weeks
Collins (C)	Harper	Meade	Williams
Collins (W)	Headley	Melton	Wood
Cook (Coffee)	Higginbotham	Merrill	Wright
Cook (Jefferson)	Hobbie	Money	Yeilding
Crane	Holman	Nettles	Young
Crawford	House	Neville	

—83

And the bill:

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Drake
Adwell	Brassell	Cook (Jefferson)	Edington
Agee	Brown	Crane	Ellis
Bassett	Burgess	Crawford	Foshee
Beck	Burgreen	Culver	Gafford
Berryman (R)	Cherner	Dill	Gloor
Berryman (W)	Collier	Dobbs	Graham
Blanton	Collins (C)	Doss	Grainger
Bowers	Collins (W)	Downing	Grayson

Hain	Lybrand	Nettles	Starnes
Hardin	Lyons	Neville	Steagall
Harper	Malone	Owen (Baldwin)	Stembridge
Headley	Manley	Owens (W)	Tuck
Higginbotham	Marr	Pearson	Turnham
Hobbie	McCorquodale	Perloff	Waggoner
House	McElhaney	Pruitt	Weeks
Jackson (T)	McLain	Robertson	Williams
Jones	Meade	Shumate	Wood
Kilgore	Melton	Slate	Wright
Laxson	Merrill	Smith	Yeilding
Lemley	Money	Snell	Young

—84

And the bill:

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones	Pearson
Adwell	Dill	Kilgore	Perloff
Agee	Dobbs	Laxson	Robertson
Bassett	Doss	Lemley	Sessions
Beck	Downing	Lybrand	Shumate
Berryman (R)	Drake	Lyons	Slate
Berryman (W)	Edington	Malone	Smith
Blanton	Ellis	Manley	Snell
Bowers	Foshee	Marr	Starnes
Brannan	Gloor	Mays	Steagall
Brown	Graham	McCorquodale	Stembridge
Burgess	Grainger	McElhaney	Stubbs
Burgreen	Grayson	McLain	Tuck
Cameron	Hain	Meade	Turnham
Cherner	Hardin	Melton	Waggoner
Collier	Harper	Merrill	Weeks
Collins (C)	Haygood	Money	Williams
Collins (W)	Headley	Nettles	Wood
Cook (Coffee)	Higginbotham	Neville	Wright
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Yeilding
Crane	House	Owens (W)	Young
Crawford			

—85

And the bill:

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (T)	Pearson
Adwell	Culver	Jones	Perloff
Agee	Dill	Laxson	Pruitt
Bassett	Dobbs	Lemley	Robertson
Beck	Doss	Lybrand	Sessions
Berryman (R)	Downing	Lyons	Shumate
Berryman (W)	Drake	Malone	Slate
Blanton	Edington	Manley	Smith
Bowers	Ellis	Marr	Snell
Brannan	Gloor	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Brown	Grainger	McElhaney	Stembridge
Burgess	Grayson	McLain	Stubbs
Burgreen	Hain	Meade	Tuck
Cameron	Hardin	Melton	Turnham
Cherner	Harper	Merrill	Waggoner
Collier	Haygood	Money	Williams
Collins (W)	Higginbotham	Nettles	Wood
Cook (Coffee)	Hobbie	Neville	Wright
Cook (Jefferson)	Holman	Owen (Baldwin)	Yeilding
Crane	House	Owens (W)	Young

—84

And the bill:

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owens (W)
Adwell	Dill	Jones	Pearson
Agee	Dobbs	Laxson	Perloff
Bassett	Doss	Lemley	Pruitt
Beck	Downing	Lybrand	Robertson
Berryman (R)	Drake	Lyons	Sessions
Berryman (W)	Edington	Malone	Shumate
Blanton	Ellis	Manley	Slate
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Starnes
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	McLain	Stubbs
Cameron	Hardin	Meade	Tuck
Collier	Harper	Melton	Turnham
Collins (C)	Haygood	Merrill	Williams
Collins (W)	Headley	Money	Wood
Cook (Coffee)	Higginbotham	Nettles	Wright
Cook (Jefferson)	Hobbie	Neville	Yeilding
Crane	Holman	Owen (Baldwin)	Young
Crawford	House		

—82

And the bill:

H. 512. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Lee County exclusive of Auburn and Opelika.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Culver	House	Owen (Baldwin)
Adwell	Dill	Jackson (F)	Owens (W)
Agee	Dobbs	Jackson (T)	Pearson
Bassett	Doss	Jones	Perloff
Beck	Downing	Kilgore	Pruitt
Berryman (R)	Drake	Laxson	Sessions
Berryman (W)	Edington	Lemley	Shumate
Blanton	Ellis	Lybrand	Slate
Bowers	Foshee	Lyons	Smith
Brannan	Gafford	Malone	Snell
Brassell	Gloor	Manley	Starnes
Brown	Graham	Marr	Steagall
Burgess	Grainger	Mays	Stembridge
Burgreen	Grayson	McCorquodale	Stubbs
Cameron	Hain	McElhaney	Tuck
Cherner	Hardin	McLain	Turnham
Collier	Harper	Meade	Waggoner
Collins (C)	Haygood	Melton	Williams
Collins (W)	Headley	Merrill	Wood
Cook (Coffee)	Higginbotham	Money	Wright
Cook (Jefferson)	Hobbie	Nettles	Yeilding
Crane	Holman	Neville	Young
Crawford			—89

And the bill:

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cherner	Drake	Harris
Adwell	Collier	Edington	Haygood
Agee	Collins (C)	Ellis	Headley
Bassett	Collins (W)	Foshee	Higginbotham
Beck	Cook (Coffee)	Gafford	Hobbie
Berryman (R)	Cook (Jefferson)	Garrett	Holman
Berryman (W)	Crane	Gloor	Jackson (F)
Blanton	Crawford	Graham	Jones
Brannan	Culver	Grainger	Kilgore
Brassell	Dill	Grayson	Laxson
Burgess	Dobbs	Hain	Lemley
Burgreen	Doss	Hardin	Lybrand
Cameron	Downing	Harper	Lyons

Malone	Merrill	Shumate	Tuck
Manley	Money	Slate	Turnham
Marr	Nettles	Smith	Waggoner
Mays	Neville	Snell	Weeks
McCorquodale	Owens (W)	Springer	Williams
McElhaney	Pearson	Starnes	Wood
McLain	Perloff	Steagall	Wright
Meade	Pruitt	Stembridge	Yeilding
Melton	Sessions	Stubbs	Young

—88

And the bill:

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Perloff
Adwell	Dobbs	Jackson (F)	Pruitt
Agee	Doss	Jones	Sessions
Bassett	Downing	Laxson	Shumate
Beck	Drake	Lemley	Slate
Berryman (R)	Edington	Lybrand	Smith
Berryman (W)	Ellis	Lyons	Snell
Blanton	Foshee	Manley	Springer
Brannan	Gafford	Marr	Starnes
Brassell	Garrett	Mays	Steagall
Burgess	Graham	McCorquodale	Stembridge
Burgreen	Grainger	McElhaney	Stubbs
Cameron	Grayson	McLain	Tuck
Cherner	Hain	Meade	Turnham
Collier	Hardin	Melton	Waggoner
Collins (C)	Harper	Merrill	Weeks
Collins (W)	Harris	Money	Williams
Cook (Coffee)	Haygood	Nettles	Wood
Cook (Jefferson)	Headley	Owen (Baldwin)	Wright
Crawford	Higginbotham	Owens (W)	Yeilding
Culver	Hobbie	Pearson	Young

—84

And the bill:

H. 550. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census, authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Beck	Brannan	Cameron
Adwell	Berryman (R)	Brassell	Cherner
Agee	Berryman (W)	Burgess	Collier
Bassett	Blanton	Burgreen	Collins (C)

Collins (W)	Grayson	Marr	Sessions
Cook (Coffee)	Hardin	Mays	Shumate
Cook (Jefferson)	Harper	McCorquodale	Slate
Crane	Harris	McDonald	Smith
Crawford	Haygood	McElhaney	Snell
Culver	Headley	McLain	Starnes
Dill	Higginbotham	Meade	Steagall
Dobbs	Hobbie	Melton	Stembridge
Doss	Holman	Merrill	Tuck
Downing	Jackson (F)	Money	Turnham
Drake	Jones	Nettles	Waggoner
Edington	Kilgore	Owen (Baldwin)	Williams
Ellis	Laxson	Owens (W)	Wood
Foshee	Lemley	Pearson	Wright
Garrett	Lybrand	Perloff	Yeilding
Graham	Lyons	Pruitt	Young
Grainger	Manley	Robertson	—83

And the bill:

H. 551. Relating to counties having a population of not less than 19,000 nor more than 19,500 according to the last and any succeeding Federal Decennial Census; providing for the compensation and allowances of members of the county governing body; and to validate actual expenses heretofore paid in performance of their duties outside the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Perloff
Adwell	Doss	Kilgore	Robertson
Agee	Downing	Laxson	Sessions
Bassett	Drake	Lemley	Shumate
Beck	Edington	Lybrand	Slate
Berryman (R)	Ellis	Lyons	Smith
Berryman (W)	Foshee	Manley	Snell
Blanton	Gafford	Marr	Springer
Brannan	Garrett	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Burgess	Grainger	McElhaney	Stembridge
Burgreen	Grayson	McLain	Stubbs
Cameron	Hardin	Meade	Tuck
Cherner	Harper	Melton	Turnham
Collier	Harris	Merrill	Waggoner
Collins (W)	Haygood	Money	Weeks
Cook (Coffee)	Headley	Nettles	Williams
Cook (Jefferson)	Higginbotham	Neville	Wood
Crane	Hobbie	Owen (Baldwin)	Wright
Crawford	Holman	Owens (W)	Yeilding
Culver	Jackson (F)	Pearson	Young
Dill			—85

And the bill:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nay 1.

Yeas:

Mr. Speaker	Dill	Kilgore	Pennington	
Adwell	Dobbs	Laxson	Perloff	
Agee	Downing	Lemley	Pruitt	
Bassett	Drake	Lybrand	Robertson	
Beck	Edington	Lyons	Sessions	
Berryman (R)	Ellis	Manley	Shumate	
Berryman (W)	Foshee	Marr	Smith	
Blanton	Gafford	Mays	Snell	
Brannan	Graham	McCorquodale	Starnes	
Brassell	Grainger	McElhaney	Steagall	
Burgess	Grayson	McLain	Stembridge	
Burgreen	Hain	Meade	Stubbs	
Cameron	Hardin	Melton	Tuck	
Cherner	Harper	Merrill	Waggoner	
Collier	Harris	Money	Weeks	
Collins (W)	Haygood	Nettles	Williams	
Cook (Coffee)	Higginbotham	Neville	Wood	
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wright	
Crane	Holman	Owens (W)	Yeilding	
Crawford	Jackson (F)	Pearson	Young	
Culver	Jones			—82

Nay: Mr. Bank —1

And the bill:

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones	Pruitt	
Adwell	Dobbs	Kilgore	Robertson	
Agee	Downing	Laxson	Sessions	
Bank	Drake	Lemley	Shumate	
Bassett	Edington	Lybrand	Slate	
Beck	Ellis	Lyons	Smith	
Berryman (R)	Foshee	Manley	Snell	
Berryman (W)	Gafford	Marr	Starnes	
Blanton	Graham	Mays	Steagall	
Bowers	Grainger	McCorquodale	Stembridge	
Brassell	Grayson	McElhaney	Stubbs	
Burgess	Hain	McLain	Tuck	
Burgreen	Hardin	Meade	Turnham	
Cameron	Harper	Melton	Waggoner	
Collier	Harris	Merrill	Weeks	
Collins (W)	Headley	Money	Williams	
Cook (Coffee)	Higginbotham	Nettles	Wood	
Cook (Jefferson)	Hobbie	Neville	Wright	
Crane	Holman	Owens (W)	Yeilding	
Crawford	Jackson (F)	Pearson	Young	
Culver	Jackson (T)	Perloff		—83

And the bill:

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones	Pruitt
Adwell	Dobbs	Laxson	Robertson
Agee	Doss	Lemley	Sessions
Bank	Downing	Lybrand	Shumate
Bassett	Drake	Lyons	Slate
Beck	Edington	Malone	Smith
Berryman (R)	Ellis	Manley	Snell
Berryman (W)	Foshee	Marr	Springer
Blanton	Graham	Mays	Starnes
Bowers	Grainger	McCorquodale	Steagall
Brannan	Grayson	McElhaney	Stembridge
Brassell	Hain	McLain	Stubbs
Burgess	Hardin	Meade	Tuck
Burgreen	Harper	Melton	Turnham
Cameron	Harris	Merrill	Waggoner
Collier	Haygood	Money	Weeks
Collins (W)	Headley	Nettles	Williams
Cook (Coffee)	Higginbotham	Neville	Wood
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wright
Crane	Holman	Owens (W)	Yeilding
Crawford	Jackson (F)	Pearson	Young
Culver	Jackson (T)	Perloff	—87

And the bill:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Grainger	Lybrand
Adwell	Cook (Jefferson)	Grayson	Lyons
Agee	Crane	Hain	Malone
Bank	Crawford	Hardin	Manley
Bassett	Culver	Harper	Marr
Beck	Dill	Harris	Mays
Berryman (R)	Dobbs	Haygood	McCorquodale
Berryman (W)	Doss	Headley	McElhaney
Blanton	Downing	Hobbie	McLain
Bowers	Drake	Holman	Meade
Brannan	Edington	Jackson (F)	Melton
Brassell	Ellis	Jackson (T)	Merrill
Burgreen	Foshee	Jones	Money
Cameron	Garrett	Kilgore	Nettles
Collier	Gloor	Laxson	Owen (Baldwin)
Collins (W)	Graham	Lemley	Owens (W)

Pearson	Smith	Stubbs	Wood
Perloff	Snell	Tuck	Wright
Robertson	Starnes	Waggoner	Yeilding
Sessions	Steagall	Weeks	Young
Shumate	Stembridge	Williams	—83

And the bill:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instuments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)
Adwell	Doss	Jones	Pearson
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lybrand	Sessions
Berryman (R)	Foshee	Lyons	Shumate
Berryman (W)	Gloor	Malone	Smith
Blanton	Graham	Manley	Snell
Bowers	Grainger	Marr	Starnes
Brannan	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stubbs
Burgreen	Hardin	McElhaney	Tuck
Cameron	Harper	McLain	Waggoner
Collier	Harris	Meade	Weeks
Collins (W)	Haygood	Melton	Williams
Cook (Coffee)	Headley	Merrill	Wood
Cook (Jefferson)	Higginbotham	Money	Wright
Crane	Hobbie	Nettles	Yeilding
Crawford	Holman	Owen (Baldwin)	Young
Dill	Jackson (F)		—82

And the bill:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Burgreen
Adwell	Beck	Bowers	Cameron
Agee	Berryman (R)	Brannan	Collier
Bank	Berryman (W)	Burgess	Collins (C)

Collins (W)	Hain	Malone	Pruitt
Cook (Coffee)	Hardin	Manley	Robertson
Cook (Jefferson)	Harper	Marr	Sessions
Crane	Harris	Mays	Shumate
Crawford	Haygood	McCorquodale	Smith
Dill	Headley	McElhaney	Snell
Dobbs	Higginbotham	McLain	Springer
Doss	Hobbie	Meade	Starnes
Downing	Holman	Melton	Steagall
Drake	Jackson (F)	Merrill	Stubbs
Edington	Jackson (T)	Money	Tuck
Ellis	Jones	Nettles	Waggoner
Foshee	Kilgore	Neville	Williams
Gloor	Laxson	Owen (Baldwin)	Wood
Graham	Lemley	Owens (W)	Wright
Grainger	Lybrand	Pearson	Yeilding
Grayson	Lyons	Perloff	Young

—84

And the bill:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Dobbs	Jones	Perloff
Agee	Doss	Kilgore	Pruitt
Bank	Downing	Laxson	Robertson
Bassett	Drake	Lemley	Sessions
Beck	Edington	Lybrand	Shumate
Berryman (R)	Ellis	Lyons	Smith
Berryman (W)	Foshee	Malone	Snell
Blanton	Gloor	Manley	Springer
Bowers	Graham	Marr	Starnes
Brannan	Grainger	Mays	Steagall
Brassell	Grayson	McCorquodale	Stembridge
Brown	Hain	McElhaney	Stubbs
Burgess	Hardin	McLain	Tuck
Burgreen	Harper	Meade	Turnham
Collier	Harris	Melton	Waggoner
Collins (W)	Haygood	Merrill	Weeks
Cook (Coffee)	Headley	Money	Williams
Cook (Jefferson)	Higginbotham	Nettles	Wood
Crane	Hobbie	Neville	Wright
Crawford	Holman	Owen (Baldwin)	Yeilding
Culver	Jackson (F)	Owens (W)	Young

—88

And the bill:

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Was taken up.

On motion of Mr. Harper, the bill, H. 572, was carried over to the Eleventh Legislative Day.

And the bill:

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones	Pearson
Adwell	Dobbs	Kilgore	Perloff
Agee	Doss	Laxson	Pruitt
Bank	Downing	Lemley	Robertson
Bassett	Drake	Lybrand	Sessions
Beck	Edington	Lyons	Shumate
Berryman (R)	Ellis	Malone	Smith
Berryman (W)	Foshee	Manley	Snell
Blanton	Gloor	Mays	Starnes
Bowers	Graham	McCorquodale	Steagall
Brannan	Grainger	McElhaney	Stembridge
Brassell	Grayson	McLain	Stubbs
Brown	Hain	Meade	Tuck
Burgess	Hardin	Melton	Waggoner
Burgreen	Harper	Merrill	Weeks
Cameron	Harris	Money	Williams
Collier	Headley	Nettles	Wood
Cook (Coffee)	Higginbotham	Neville	Wright
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Yeilding
Crawford	Jackson (F)	Owens (W)	Young
Culver	Jackson (T)		—82

And the bill:

H. 610. Relating to counties having population of not less than 25,400 nor more than 26,000, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dobbs	Hardin
Adwell	Burgreen	Doss	Harper
Agee	Cameron	Downing	Headley
Bank	Collier	Drake	Higginbotham
Bassett	Collins (C)	Edington	Hobbie
Beck	Collins (W)	Ellis	Holman
Berryman (R)	Cook (Coffee)	Foshee	Jackson (F)
Berryman (W)	Cook (Jefferson)	Gloor	Jones
Blanton	Crane	Graham	Kilgore
Brannan	Crawford	Grainger	Laxson
Brassell	Culver	Grayson	Lemley
Brown	Dill	Hain	Lybrand

Lyons	Merrill	Robertson	Stubbs
Malone	Money	Sessions	Tuck
Manley	Nettles	Shumate	Waggoner
Marr	Neville	Smith	Weeks
Mays	Owen (Baldwin)	Snell	Williams
McCorquodale	Owens (W)	Springer	Wood
McElhaney	Pearson	Starnes	Wright
McLain	Pennington	Steagall	Yeilding
Meade	Perloff	Stembridge	Young
Melton	Pruitt		—86

And the bill:

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones	Pearson
Adwell	Dill	Kilgore	Perloff
Agee	Dobbs	Laxson	Pruitt
Bank	Doss	Lemley	Robertson
Bassett	Downing	Lybrand	Sessions
Beck	Drake	Lyons	Shumate
Berryman (R)	Edington	Malone	Slate
Berryman (W)	Ellis	Manley	Smith
Blanton	Foshee	Marr	Snell
Bowers	Garrett	Mays	Starnes
Brannan	Graham	McCorquodale	Steagall
Brassell	Grainger	McElhaney	Stembridge
Brown	Grayson	McLain	Stubbs
Burgess	Hain	Meade	Tuck
Burgreen	Hardin	Melton	Waggoner
Cameron	Harper	Merrill	Weeks
Collier	Headley	Money	Williams
Collins (C)	Higginbotham	Nettles	Wood
Cook (Coffee)	Hobbie	Neville	Wright
Cook (Jefferson)	Holman	Owen (Baldwin)	Yeilding
Crane	Jackson (F)	Owens (W)	Young
Crawford	Jackson (T)		—86

MOTION FOR COMMITTEE REPORT

On motion of Mr. Pennington, the rules were suspended and the Standing Committee on Health was allowed to report out of order.

Yeas 56; Nays 13.

Yeas:

Messrs.:	Cameron	Downing	Harris
Adwell	Cherner	Edington	Hill
Bank	Collins (C)	Ellis	Holman
Bassett	Collins (W)	Foshee	House
Beck	Cook (Coffee)	Gloor	Jackson (F)
Blanton	Cook (Jefferson)	Graham	Jackson (T)
Brannan	Crane	Grainger	Jones
Brassell	Culver	Hain	Kilgore
Brown	Dill	Hardin	Laxson

Lybrand	Merrill	Pennington	Tuck
Lyons	Money	Perloff	Weeks
Malone	Nettles	Sessions	Wood
Marr	Owen (Baldwin)	Starnes	Wright
Mays	Owens (W)	Stembridge	Yeilding
Meade			—56

Nays:

Mr. Speaker	Drake	Hobbie	Slate
Berryman (R)	Garrett	Lemley	Steagall
Berryman (W)	Grayson	Shumate	Stubbs
Doss			—13

BILLS ON SECOND READING

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 279 (with amendment). To promote safe transportation of pupils to and from schools and in school related activities; to direct the state board of education to prescribe certain rules and regulations designed to promote this purpose; to provide for school transportation managers or supervisors; to prescribe certain equipment for school buses; to provide for safety inspection of school buses; to provide for special training and licensing of school bus drivers; and to prescribe penalties.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 200. Relating to model glue; prohibiting inhalation and providing a penalty.

H. 201. Relating to public health; requiring food handlers to have health certificates, prohibiting the employment of persons having infectious or contagious diseases as food handlers; requiring county health officers in each county to administer this act, and granting certain authority to county boards of health; prescribing penalties for violations.

H. 261. To amend Code of Alabama 1940, Title 27, Section 3, which relates to consent to adoption of children; amending such section in relation to the consent required in case of illegitimacy.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 458 (with amendment). To provide for safety inspection of bridges on public highways and streets; maintain written reports of safety inspections; posting of safe load limits for bridges; placing barricades for bridges under construction, under repair and condemned bridges; and maintaining a current inventory of all bridges on the State highway system.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 633. To provide for the legal possession of certain quantities of state tax-paid alcoholic beverages for private use in any county of this State; providing penalties for violations.

UNANIMOUS CONSENT GRANTED

On motion of Mr. Pearson, unanimous consent was granted to introduce a local bill out of order.

INTRODUCTION OF BILL

By Mr. Pearson (with notice and proof):

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

Local Legislation No. 1.

Notice and Proof H. 687:

LEGALS

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County: further regulating the places of meetings of the board of registrars.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Autauga County shall meet each year for the number of days prescribed in Code of Alabama, 1940. Title 17, Section 26, as amended. They are relieved, however, of the duty of visiting all the precincts between October first and December thirty-first in odd-numbered years, as therein required; and in lieu thereof in odd-numbered years they shall meet for the purpose of registering voters on 30 different days at the courthouse.

Section 2. This act is supplemental. It shall not be construed to repeal or supersede as to Autauga County any provision of the general law relative to meetings of registrars, except those provisions of Code of Alabama 1940. Title 17, Section 26, as amended, which are in conflict with and superseded by the provisions of Section 1 hereof.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 8, May 15, May 22, and May 28, all in the year 1969.

NORMAN E. RIDENHOUR,
Editor & Publisher.

Sworn to and subscribed before me this 9th day of June, 1969.

LINDA H. BREEDLOVE,
Notary Public.

My commission expires Dec. 9-70

UNANIMOUS CONSENT GRANTED

On motion of Mr. Brown, unanimous consent was granted to introduce a local bill out of order.

INTRODUCTION OF BILL

By Messrs. Brown, Culver, Bank and Robertson:

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Local Legislation No. 1.

MOTION TO RECONSIDER VOTE ON H. 610

The motion of Mr. McCorquodale to reconsider the vote by which the bill, H. 610, was passed, he having voted on the prevailing side, was adopted.

On motion of Mr. McCorquodale, the bill, H. 610, was carried over to the Tenth Legislative Day.

MOTION FOR COMMITTEE REPORT

On motion of Mr. Cook (Jefferson), the rules were suspended and the Standing Committee on Transportation was allowed to report out of order.

BILLS ON SECOND READING

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 686. To revise and amend all of Section 58 (9) of Title 36, 1940 Code of Alabama, as Recompiled 1958, regulating operation of vehicles on the highways.

H. 685. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

H. 588. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 498 (with amendment). To revise and amend Section 428 of Title 13, Code of Alabama (1940), which relates to appeal to Circuit Court from justice of the peace.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 497. To amend Section 7 of Act No. 516, Regular Session, 1949, approved August 30, 1949 (Acts of Alabama, Regular Session, 1949, Page 741), to regulate further the use of the highways of the State.

H. 496. To amend further Chapter 1 of Title 36, Code of Alabama (1940), so as to require drivers of vehicles to yield the right-of-way to other traffic under certain conditions.

H. 495. Regulating stopping of vehicles on the highways, and providing for the removal of abandoned or unattended vehicles or other property.

H. 494. To revise and amend Section 388 of Title 13 of the Code of Alabama, all of which relates to the giving of bond by a justice of the peace before entering upon the duties of his office.

H. 493. To amend all of Section 70 of Title 36 of the 1940 Code of Alabama as amended, all of which refers to the penalty for violation by persons whose license or driving privilege has been canceled, suspended or revoked.

H. 492. To amend Act 171, 1967 Special Session, to require operators and passengers riding two-wheel motorized vehicles to wear protective helmets, prescribing standards for helmets that may be worn, providing for testing such helmets, prohibiting the sale in this State of substandard helmets, imposing responsibility on parents and guardians of juveniles in reference to compliance with the Act, and prescribing penalties.

H. 490. To revise and amend Section 128 of Title 36 of the Code of Alabama, 1940, relating to the duties of the driver of a vehicle involved in an accident resulting in personal injury or death or damage to vehicle.

H. 478. To provide for the protection of state peace officers for injuries, deaths or property damage, resulting from actions taken to disperse a mob, rout or riot.

H. 271. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

MOTION FOR COMMITTEE REPORT

On motion of Mr. McElhaney, the rules were suspended and the Standing Committee on Local Legislation No. 4 was allowed to report out of order.

BILL ON SECOND READING

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same reurned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 659. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabitants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Four Thousand Two Hundred and No/100 (4,200.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and No/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

MOTION TO BRING UP H. 111 ADOPTED

On motion of Mr. Marr, the rules were suspended and H. 111 was brought up out of order.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dobbs	Hardin
Adwell	Burgreen	Doss	Harper
Agee	Cameron	Downing	Harris
Bank	Cherner	Drake	Haygood
Bassett	Collier	Edington	Headley
Beck	Collins (C)	Ellis	Hill
Berryman (R)	Collins (W)	Foshee	Hobbie
Berryman (W)	Cook (Coffee)	Gafford	Holman
Blanton	Cook (Jefferson)	Garrett	House
Bowers	Crane	Gloor	Jackson (F)
Brannan	Crawford	Grainger	Jackson (T)
Brassell	Culver	Grayson	Jones
Brown	Dill	Hain	Kilgore

Laxson	McLain	Perloff	Stembridge
Lemley	Meade	Pruitt	Stubbs
Lybrand	Melton	Robertson	Tuck
Lyons	Merrill	Shumate	Waggoner
Malone	Money	Slate	Watkins
Manley	Nettles	Smith	Weeks
Marr	Owen (Baldwin)	Snell	Wood
Mathews	Owens (W)	Springer	Wright
Mays	Pearson	Starnes	Yeilding
McDonald	Pennington	Steagall	Young
McElhaney			

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And the bill:

H. 111 (with substitute). To prohibit the sale or delivery of certain harmful materials to minors; to define certain terms, to provide that it shall be unlawful to exhibit to minors certain prohibited practices; to provide that it shall be unlawful for minors to falsely represent their age to gain access to prohibited practices; to provide for procedures for the commencement of enforcement and for application for the declaratory judgement; to provide that it shall be unlawful for any person to make false representation that he is the parent or guardian of minor for the purpose of gaining minor access to prohibited practices; to place certain limitations upon the prosecution of persons accused of violating this act; to provide for exceptions; to provide for penalties; to provide the procedures connected with the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. As used in this section:

(a) "Minor" means any person under the age of eighteen years.

(b) "Nudity" means the showing of the human male or female genitals, pubic area or buttocks with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any portion thereof below the top of the nipple, or the depiction of covered male genitals in a discernibly turgid state.

(c) "Sexual conduct" means act of masturbation, homesexuality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or, if such person be a female, breast.

(d) "Sexual excitement" means the condition of human male or female genitals when in a state of sexual stimulation or arousal.

(e) "Sado-masochistic abuse" means flagellation or torture by or upon a person clad in undergarments, a mask or bizarre costume, or the condition of being fettered, bound or otherwise physically restrained on the part of one so clothed.

(f) "Harmful to minors" means that quality of any description or representation, in whatever form, of nudity, sexual conduct, sexual excitement, or sado-masochistic abuse, when it:

(i) predominantly appeals to the prurient, shameful or morbid interest of minors, and

(ii) is patently offensive to prevailing standards in the adult community as a whole with respect to what is suitable material for minors, and

(iii) is utterly without redeeming social importance for minors.

(g) "Knowingly" means having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inspection or inquiry of both:

(i) the character and content of any material described herein which is reasonably susceptible of examination by the defendant, and

(ii) the age of the minor, provided however, that an honest mistake shall constitute an excuse from liability hereunder if the defendant made a reasonable bona fide attempt to ascertain the true age of such minor.

Section 2. It shall be unlawful for any person knowingly to sell or loan for monetary consideration to a minor:

(a) any picture, photograph, drawing, sculpture, motion picture film, or similar visual representation or image of a person or portion of the human body which depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors, or

(b) any book, pamphlet, magazine, printed matter however reproduced, or sound recording which contains any matter enumerated in paragraph (a) of subdivision two hereof, or explicit and detailed verbal descriptions or narrative accounts of sexual excitement, sexual conduct or sado-masochistic abuse and which, taken as a whole, is harmful to minors.

Section 3. It shall be unlawful for any person knowingly to exhibit for a monetary consideration to a minor or knowingly to sell to a minor an admission ticket or pass or knowingly to admit a minor for a monetary consideration to premises whereon there is exhibited, a motion picture, show or other presentation which, in whole or in part, depicts nudity, sexual conduct or sado-masochistic abuse and which is harmful to minors.

Section 4. (a) No prosecution may be commenced against any person under this act for violations of Sections 2 and 3 unless the district attorney of the judicial circuit in which the crime occurred has served the accused with prior written notice that the district attorney has reasonable cause to believe the material upon which the prosecution is based to be in violation of this act, and the accused has, after receiving such notice, violated the terms of this act. Any person who receives such written notice shall have the right, within thirty days, to seek a determination as to the correctness thereof under the provisions of the act relating to declaratory judgments, but no such action shall, by reason of the commencement thereof, stay the further enforcement of this act. In the event this subsection shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect the other sections, subsections, sentences, clauses or phrases of this act, which shall remain in full force and effect, as if this subsection so declared or adjudged invalid or unconstitutional was not originally a part hereof. The Legislature hereby declares that it would have passed the remaining parts of this act if it had known that such part or parts hereof would be declared or adjudged invalid or unconstitutional.

(b) No prosecution may be commenced against any person under this act for violations of Sections 2 and 3 except by the district attorney of the judicial circuit in which the crime occurs.

Section 5. No person shall by guilty of violating the provisions of this act:

(a) Where such person has reasonable cause to believe that the minor involved was eighteen years old or more, and such minor exhibited to such person a draft card, drivers license, birth certificate or other official or apparently official document purporting to establish that such minor was eighteen years old or more; or

(b) That the person was the parent or guardian of the minor, or that the minor was accompanied by his parent or guardian, or the parent or guardian has in writing waived the application of this act, either generally or with reference to the particular transaction; or

(c) Where such a person is a bona fide school, museum or public library, or is acting in his capacity as an employee of such organization, or as a retail outlet affiliated with and serving the educational purposes of such organization.

Section 6. (a) It shall be unlawful for any minor to falsely represent to any person mentioned in Section 2 or Section 3 of this act, or to his agent, that such a minor is eighteen years of age or older, with the intent to procure any material set forth in Section 2 of this act, or with the intent to procure such minor's admission to any motion picture or show or other presentation, as set forth in Section 3 of this act.

(b) It shall be unlawful for any person to knowingly make a false representation to any person mentioned in Section 2 or Section 3 of this act, or to his agent, that he is the parent or guardian of any minor, or that any minor is eighteen years of age, with the intent to procure any material set forth in Section 2 of this act, or with the intent to procure such minor's admission to any motion picture, show or other presentation, as set forth in Section 3 of this act.

Section 7. Purpose and Intent of Act. During the past several years the sale or distribution of harmful materials to minors has become a matter of increasingly grave concern to the people of this State. The elimination of such sales and the consequent protection of minors from harmful materials are in the best interest of the morals and general welfare of the citizens of this State, in general, and of minors in this State, in particular. The accomplishment of these ends can best be achieved by providing public prosecutors with an effective power to commence criminal proceedings against persons who engage in the sale of harmful materials to minors.

Section 8. (a) Any person convicted of violating Section 2 or Section 3 of this act is guilty of a misdemeanor and upon conviction shall be imprisoned in the county jail or sentenced to hard labor for the county, for not more than one year, and may be fined not more than Two Thousand ($2000.00) Dollars for each offense, or be both so imprisoned and fined, in the discretion of the court.

(b) Any person violating the provisions of Section 6 of this act is guilty of a misdemeanor and upon conviction shall be imprisoned in the county jail or sentenced to hard labor for the county, for not more than six months, and may be fined not more than Five Hundred ($500.00) Dollars for each offense, or be both so imprisoned and fined, in the discretion of the court.

Section 9. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws and parts of laws in conflict with this act are hereby repealed.

Section 11. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owen (Baldwin)
Adwell	Dobbs	Jackson (F)	Owens (W)
Agee	Doss	Jackson (T)	Pearson
Bassett	Downing	Jones	Pennington
Beck	Drake	Kilgore	Perloff
Berryman (R)	Edington	Laxson	Pruitt
Berryman (W)	Ellis	Lemley	Robertson
Blanton	Foshee	Lybrand	Shumate
Bowers	Gafford	Lyons	Slate
Brannan	Garrett	Malone	Smith
Brassell	Gloor	Manley	Snell
Brown	Graham	Marr	Springer
Burgess	Grainger	Mathews	Starnes
Burgreen	Grayson	Mays	Steagall
Cameron	Hain	McCorquodale	Stembridge
Cherner	Hardin	McElhaney	Stubbs
Collier	Harper	McLain	Tuck
Collins (C)	Harris	Meade	Waggoner
Collins (W)	Haygood	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Wood
Cook (Jefferson)	Hill	Money	Wright
Crane	Hobbie	Nettles	Yeilding
Crawford	Holman	Neville	Young
Culver			

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And the bill, H. 111, as thus amended:

To prohibit the exposing of certain obscene and harmful materials to minors; to define terms, and to prescribe penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Collier	Ellis	Hill
Adwell	Collins (C)	Foshee	Hobbie
Agee	Collins (W)	Gafford	Holman
Bassett	Cook (Coffee)	Garrett	House
Beck	Cook (Jefferson)	Gloor	Jackson (F)
Berryman (R)	Crane	Graham	Jackson (T)
Berryman (W)	Crawford	Grainger	Jones
Blanton	Culver	Grayson	Kilgore
Brannan	Dill	Hain	Lybrand
Brassell	Dobbs	Hardin	Lyons
Brown	Doss	Harper	Malone
Burgreen	Downing	Harris	Manley
Cameron	Drake	Haygood	Marr
Cherner	Edington	Headley	Mathews

Mays	Neville	Shumate	Stubbs
McCorquodale	Owen (Baldwin)	Slate	Waggoner
McElhaney	Owens (W)	Smith	Weeks
McLain	Pearson	Snell	Williams
Meade	Pennington	Springer	Wood
Melton	Perloff	Starnes	Wright
Merrill	Pruitt	Steagall	Yeilding
Money	Robertson	Stembridge	Young

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MOTION TO BRING UP H. 110 ADOPTED

On motion of Mr. Marr, the rules were suspended and H. 110 was brought up out of order.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pennington
Adwell	Doss	Jackson (T)	Perloff
Agee	Downing	Jones	Pruitt
Bassett	Drake	Kilgore	Robertson
Beck	Edington	Laxson	Shumate
Berryman (R)	Ellis	Lemley	Slate
Berryman (W)	Foshee	Lybrand	Smith
Blanton	Gafford	Lyons	Snell
Bowers	Garrett	Malone	Springer
Brannan	Gloor	Manley	Starnes
Brassell	Grainger	Marr	Steagall
Brown	Grayson	Mathews	Stembridge
Burgreen	Hain	Mays	Stubbs
Cameron	Hardin	McCorquodale	Tuck
Cherner	Harper	McElhaney	Turnham
Collier	Harris	Meade	Waggoner
Collins (W)	Haygood	Melton	Watkins
Cook (Coffee)	Headley	Merrill	Weeks
Cook (Jefferson)	Hill	Money	Wood
Crane	Hobbie	Nettles	Wright
Crawford	Holman	Owen (Baldwin)	Yeilding
Culver	House	Pearson	Young
Dill			

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And the bill:

H. 110. To amend Section 3 of Act No. 856, S. 242, Regular Session 1961, entitled "An Act to suppress traffic in obscene publications, defining terms, prescribing penalties, and providing enforcement procedures against residents or nonresidents."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Cameron	Crawford
Adwell	Blanton	Cherner	Culver
Agee	Bowers	Collier	Dill
Bank	Brannan	Collins (W)	Dobbs
Bassett	Brassell	Cook (Coffee)	Doss
Beck	Brown	Cook (Jefferson)	Downing
Berryman (R)	Burgreen	Crane	Drake

Edington	Hobbie	McCorquodale	Smith
Ellis	Holman	McElhaney	Snell
Foshee	House	Meade	Springer
Gafford	Jackson (F)	Melton	Starnes
Garrett	Jackson (T)	Merrill	Steagall
Gloor	Jones	Money	Stembridge
Graham	Kilgore	Nettles	Stubbs
Grainger	Laxson	Neville	Tuck
Grayson	Lemley	Owen (Baldwin)	Turnham
Hain	Lybrand	Owens (W)	Waggoner
Hardin	Lyons	Pearson	Watkins
Harper	Malone	Pennington	Weeks
Harris	Manley	Perloff	Wood
Haygood	Marr	Pruitt	Wright
Headley	Mathews	Robertson	Yeilding
Higginbotham	Mays	Slate	Young
Hill			

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RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 38. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That when the two Houses adjourn today the House adjourns to meet again on Thursday, June 12, 1969, and when the House adjourns on Thursday, June 12, 1969, they adjourn to meet again on Tuesday June 17, 1969, and when the Senate adjourns today they adjourn to meet again on Friday June 13, 1969, and when the Senate adjourns on Friday June 13, 1969, they adjourn to meet again on Tuesday June 17, 1969.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 38 was adopted.

MOTION TO RECONSIDER H. 431 GRANTED

The motion of Mr. Lemley to reconsider the vote by which the bill, H. 431, was passed, he having voted on the prevailing side, was adopted.

On motion of Mr. Lemley, the bill, H. 431, was carried over to the Tenth Legislative Day.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted Mr. Cherner that the Journal show had he been in the chamber he would have voted Nay on the bill, H. 475.

PASSAGE OF BILLS RESUMED

And the bill:

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Edington	Laxson	Pearson
Bassett	Ellis	Lemley	Pennington
Beck	Foshee	Lybrand	Perloff
Berryman (R)	Gafford	Malone	Robertson
Berryman (W)	Garrett	Manley	Sessions
Blanton	Graham	Marr	Shumate
Bowers	Grainger	Mathews	Smith
Brannan	Grayson	Mays	Snell
Burgreen	Hain	McCorquodale	Starnes
Collier	Harper	McElhaney	Steagall
Collins (W)	Harris	McLain	Stembridge
Cook (Coffee)	Haygood	Meade	Stubbs
Crane	Higginbotham	Melton	Turnham
Crawford	Holman	Merrill	Williams
Culver	Jackson (F)	Neville	Yeilding
Dill	Jackson (T)		

—66

And the bill:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pennington
Agee	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Foshee	Lybrand	Robertson
Berryman (R)	Gloor	Malone	Sessions
Berryman (W)	Graham	Manley	Shumate
Blanton	Grainger	Mays	Smith
Bowers	Grayson	McCorquodale	Snell
Brannan	Hain	McElhaney	Springer
Brassell	Hardin	McLain	Starnes
Brown	Harper	Meade	Steagall
Burgreen	Harris	Meeks	Turnham
Collier	Haygood	Melton	Weeks
Cook (Coffee)	Higginbotham	Merrill	Williams
Crane	Hobbie	Money	Wood
Culver	Holman	Neville	Wright
Dill	House	Owen (Baldwin)	Yeilding
Doss	Jackson (F)	Pearson	Young
Downing	Jackson (T)		

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And the bill:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Perloff
Adwell	Ellis	Laxson	Pruitt
Agee	Foshee	Lemley	Robertson
Bassett	Gafford	Lybrand	Sessions
Beck	Garrett	Malone	Shumate
Berryman (R)	Gloor	Manley	Smith
Berryman (W)	Graham	Mays	Snell
Blanton	Grainger	McCorquodale	Springer
Brannan	Grayson	McElhaney	Starnes
Brassell	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Collier	Harper	Meeks	Stubbs
Collins (W)	Harris	Melton	Tuck
Cook (Coffee)	Haygood	Merrill	Turnham
Crane	Higginbotham	Money	Williams
Culver	Hobbie	Neville	Wood
Dill	Holman	Owen (Baldwin)	Wright
Downing	House	Pearson	Yeilding
Drake	Jackson (F)	Pennington	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 37. Extending congratulations upon the ninety-ninth anniversary of the Annual Masonic Day Celebration in Florala, Alabama.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Edington
Adwell	Brassell	Crane	Ellis
Agee	Burgess	Crawford	Foshee
Bank	Burgreen	Culver	Garrett
Beck	Cameron	Dill	Gloor
Berryman (R)	Collier	Doss	Graham
Berryman (W)	Collins (C)	Downing	Grainger
Blanton	Collins (W)	Drake	Grayson

Hain	Kilgore	Meade	Snell
Harper	Laxson	Meeks	Starnes
Harris	Lemley	Melton	Steagall
Headley	Lybrand	Merrill	Stubbs
Higginbotham	Lyons	Nettles	Tuck
Hill	Malone	Neville	Turnham
Hobbie	Manley	Owen (Baldwin)	Weeks
Holman	Mathews	Pearson	Williams
House	Mays	Perloff	Wright
Jackson (F)	McCorquodale	Pruitt	Yeilding
Jackson (T)	McElhaney	Shumate	Young
Jones	McLain	Smith	—79

And the bill:

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones	Pruitt
Adwell	Downing	Lemley	Robertson
Agee	Drake	Lybrand	Sessions
Bassett	Edington	Lyons	Shumate
Beck	Ellis	Malone	Slate
Berryman (R)	Foshee	Manley	Smith
Berryman (W)	Garrett	Marr	Snell
Brannan	Graham	Mays	Starnes
Brassell	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	McLain	Stubbs
Cameron	Hardin	Meade	Tuck
Collier	Harper	Melton	Turnham
Collins (C)	Harris	Merrill	Waggoner
Collins (W)	Higginbotham	Money	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Crawford	Holman	Owen (Baldwin)	Wright
Culver	House	Pearson	Yeilding
Dill	Jackson (F)	Perloff	Young

—80

And the bill:

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nay 1.

Yeas:

Mr. Speaker	Berryman (R)	Cameron	Culver
Adwell	Berryman (W)	Collier	Dill
Agee	Brassell	Collins (W)	Downing
Bassett	Burgess	Cook (Coffee)	Drake
Beck	Burgreen	Crane	Edington

Ellis	House	Melton	Starnes
Foshee	Jackson (F)	Merrill	Steagall
Gafford	Jackson (T)	Money	Stembridge
Gloor	Jones	Nettles	Stubbs
Graham	Laxson	Neville	Tuck
Grainger	Lemley	Owen (Baldwin)	Turnham
Hain	Lybrand	Pearson	Waggoner
Hardin	Lyons	Perloff	Watkins
Harper	Malone	Pruitt	Weeks
Harris	Manley	Robertson	Williams
Headley	Marr	Sessions	Wood
Higginbotham	McCorquodale	Shumate	Wright
Hill	McElhaney	Slate	Yeilding
Hobbie	Meade	Smith	Young
Holman	Meeks	Snell	

—79

Nay: Mr. Grayson —1

And the bill:

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Perloff
Adwell	Edington	Laxson	Pruitt
Agee	Ellis	Lemley	Robertson
Bassett	Foshee	Lybrand	Sessions
Beck	Gafford	Lyons	Shumate
Berryman (R)	Garrett	Malone	Slate
Berryman (W)	Gloor	Manley	Smith
Bowers	Graham	Marr	Starnes
Brassell	Grainger	Mays	Steagall
Burgess	Grayson	McCorquodale	Stembridge
Burgreen	Hain	McElhaney	Stubbs
Cameron	Hardin	McLain	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Meeks	Waggoner
Collins (W)	Higginbotham	Melton	Watkins
Cook (Coffee)	Hill	Merrill	Weeks
Crane	Hobbie	Money	Williams
Crawford	Holman	Nettles	Wood
Culver	House	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Jackson (T)	Pearson	Young

—84

And the bill:

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pearson
Adwell	Drake	Jones	Perloff
Agee	Edington	Laxson	Pruitt
Bassett	Ellis	Lemley	Sessions
Beck	Foshee	Lybrand	Shumate
Berryman (R)	Gafford	Lyons	Smith
Berryman (W)	Garrett	Malone	Snell
Bowers	Graham	Manley	Starnes
Brassell	Grainger	Marr	Steagall
Burgess	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Cameron	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Turnham
Collins (C)	Harris	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Weeks
Cook (Coffee)	Hill	Melton	Williams
Crane	Hobbie	Merrill	Wood
Crawford	Holman	Money	Wright
Culver	House	Nettles	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young

—80

And the bill:

H. 596. Applicable in each county having a population exceeding 600,000 according to the then next preceding federal decennial census; and providing that a permit from the governing body of each such county shall be a prerequisite to the use of public highways and other public ways in the county for construction, installation or commencement of operation therein of public water facilities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nay 1.

Yeas:

Mr. Speaker	Downing	Jones	Perloff
Adwell	Drake	Laxson	Pruitt
Agee	Edington	Lemley	Robertson
Bassett	Ellis	Lybrand	Sessions
Beck	Foshee	Lyons	Shumate
Berryman (R)	Gafford	Malone	Smith
Berryman (W)	Garrett	Manley	Snell
Bowers	Gloor	Marr	Starnes
Brassell	Graham	Mays	Steagall
Burgreen	Grainger	McCorquodale	Stembridge
Cameron	Grayson	McElhaney	Tuck
Cherner	Hardin	Meade	Turnham
Collier	Harper	Melton	Waggoner
Collins (C)	Higginbotham	Merrill	Watkins
Collins (W)	Hill	Money	Weeks
Cook (Coffee)	Hobbie	Nettles	Williams
Crane	Holman	Neville	Wright
Crawford	Jackson (F)	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Pearson	

—75

Nay: Mr. Dill —1

And the bill:

H. 597. To amend Sections 2 and 3 of Act No. 635, H. 836, Regular Session of 1967 (1967 General Acts, Vol. 2, p. 1445) being an act to create a commission on taxation and services in all counties having populations of 600,000 or more, to prescribe the powers and duties of the commission and to provide for the selection and compensation of the commissioners.

Was taken up.

The following amendment to the bill, H. 597, was offered by Messrs. Cherner, Meeks, Bowers, Dill, Gafford and Adwell:

Amend H. B. 597—Section 2:

The Commission appointed in 1967, originally intended to report in 1969, is hereby retained and instructed to submit its report in 1971.

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Holman	Neville
Adwell	Drake	House	Owen (Baldwin)
Agee	Edington	Jackson (F)	Pearson
Bassett	Ellis	Jones	Perloff
Beck	Foshee	Laxson	Pruitt
Berryman (R)	Gafford	Lemley	Robertson
Berryman (W)	Garrett	Lybrand	Sessions
Bowers	Gloor	Lyons	Shumate
Brassell	Graham	Malone	Snell
Burgess	Grainger	Manley	Starnes
Burgreen	Grayson	Marr	Stembridge
Cameron	Hain	Mays	Stubbs
Cherner	Hardin	McCorquodale	Tuck
Collier	Harper	McElhaney	Turnham
Collins (W)	Harris	Meade	Waggoner
Cook (Coffee)	Haygood	Meeks	Weeks
Crawford	Headley	Melton	Williams
Culver	Higginbotham	Merrill	Wood
Dill	Hill	Money	Wright
Dobbs	Hobbie	Nettles	Yeilding

—80

And the bill:

And the bill, H. 597, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cook (Coffee)	Edington
Adwell	Brassell	Crane	Ellis
Agee	Burgess	Crawford	Foshee
Bank	Burgreen	Culver	Gafford
Bassett	Cameron	Dill	Garrett
Beck	Cherner	Dobbs	Gloor
Berryman (R)	Collier	Downing	Graham
Berryman (W)	Collins (W)	Drake	Grainger

Grayson	Laxson	Merrill	Steagall
Hain	Lemley	Money	Stembridge
Hardin	Lybrand	Nettles	Stubbs
Harper	Lyons	Neville	Tuck
Harris	Malone	Owen (Baldwin)	Turnham
Haygood	Manley	Pearson	Waggoner
Headley	Marr	Perloff	Watkins
Higginbotham	Mays	Pruitt	Weeks
Hill	McCorquodale	Robertson	Williams
Hobbie	McElhaney	Sessions	Wood
Holman	Meade	Shumate	Wright
House	Meeks	Snell	Yeilding
Jackson (F)	Melton	Starnes	Young
Jones			—85

And the bill:

H. 598. To further amend Section 19 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376 et seq.) as heretofore amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pearson
Adwell	Edington	Jones	Perloff
Agee	Ellis	Laxson	Pruitt
Bank	Foshee	Lemley	Robertson
Bassett	Gafford	Lybrand	Sessions
Beck	Gloor	Lyons	Shumate
Berryman (W)	Graham	Malone	Snell
Bowers	Grainger	Manley	Starnes
Brassell	Grayson	Marr	Steagall
Burgreen	Hain	Mays	Stembridge
Cameron	Hardin	McCorquodale	Stubbs
Cherner	Harper	McElhaney	Tuck
Collier	Harris	Meade	Turnham
Collins (W)	Haygood	Meeks	Waggoner
Cook (Coffee)	Headley	Melton	Weeks
Cook (Jefferson)	Higginbotham	Merrill	Williams
Crawford	Hill	Money	Wood
Culver	Hobbie	Nettles	Wright
Dill	Holman	Neville	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Downing	Jackson (F)		82

And the bill:

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302-1304), providing for the appointment of a zoning board of adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Drake	Jones	Perloff
Bank	Edington	Kilgore	Robertson
Bassett	Ellis	Laxson	Sessions
Beck	Foshee	Lemley	Shumate
Berryman (R)	Gafford	Lybrand	Smith
Berryman (W)	Gloor	Lyons	Snell
Brassell	Graham	Malone	Starnes
Burgess	Grainger	Marr	Steagall
Burgreen	Grayson	Mays	Stembridge
Cameron	Hain	McCorquodale	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	Meade	Turnham
Collins (W)	Haygood	Meeks	Watkins
Cook (Coffee)	Headley	Melton	Weeks
Cook (Jefferson)	Higginbotham	Merrill	Williams
Crane	Hill	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holman	Neville	Yeilding
Dill	House	Owen (Baldwin)	Young
Dobbs			

—81

And the bill:

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1947 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Neville
Agee	Dobbs	Jackson (F)	Owen (Baldwin)
Bank	Downing	Jones	Pearson
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Laxson	Pruitt
Berryman (R)	Ellis	Lemley	Sessions
Berryman (W)	Foshee	Lybrand	Shumate
Brassell	Gafford	Lyons	Snell
Burgess	Graham	Malone	Starnes
Burgreen	Grainger	Manley	Stubbs
Cameron	Grayson	Marr	Tuck
Cherner	Hain	McCorquodale	Turnham
Collier	Hardin	McElhaney	Waggoner
Collins (W)	Harper	Meade	Weeks
Cook (Coffee)	Haygood	Meeks	Williams
Cook (Jefferson)	Headley	Melton	Wood
Crane	Higginbotham	Merrill	Wright
Crawford	Hill	Money	Yeilding
Culver	Hobbie	Nettles	Young

—76

And the bill:

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies

and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lagar beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Owen (Baldwin)
Adwell	Dobbs	Jackson (F)	Pearson
Agee	Doss	Jones	Pennington
Bassett	Downing	Laxson	Perloff
Beck	Drake	Lemley	Pruitt
Berryman (R)	Edington	Lybrand	Sessions
Berryman (W)	Ellis	Lyons	Shumate
Blanton	Foshee	Malone	Snell
Bowers	Gafford	Manley	Starnes
Brassell	Garrett	Marr	Steagall
Burgess	Graham	Mays	Stubbs
Burgreen	Grainger	McCorquodale	Tuck
Cameron	Grayson	McElhaney	Turnham
Cherner	Hain	McLain	Waggoner
Collier	Hardin	Meade	Weeks
Collins (W)	Harper	Meeks	Williams
Cook (Coffee)	Harris	Melton	Wood
Cook (Jefferson)	Haygood	Merrill	Wright
Crane	Higginbotham	Money	Yeilding
Crawford	Hill	Nettles	Young
Culver	Hobbie	Neville	—83

And the bill:

H. 602. Relating to counties having a population of 600,000 or more according to the last or any succeeding federal census; and to provide for the allocation and distribution between and among said counties and the incorporated municipalities located therein of those portions of the net proceeds from the state gasoline excise tax that are allocated or apportioned to such counties and municipalities therein by Sections 3, 4 and 5 of Act No. 224 adopted at the special session of the Legislature of Alabama of 1967 (Acts of Alabama of 1967, page 295 et seq.); to repeal Act No. 404 adopted at the 1967 Regular Session of the Legislature of Alabama (Acts of Alabama of 1967, page 1017 et seq.) and all other laws or parts of laws in conflict herewith; and to fix the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collins (W)	Doss
Adwell	Bowers	Cook (Coffee)	Downing
Agee	Brassell	Cook (Jefferson)	Drake
Bassett	Burgreen	Crane	Edington
Beck	Cameron	Crawford	Ellis
Berryman (R)	Cherner	Dill	Foshee
Berryman (W)	Collier	Dobbs	Gafford

Gloor	Jackson (F)	Meade	Snell
Graham	Jackson (T)	Meeks	Starnes
Grainger	Jones	Melton	Steagall
Grayson	Kilgore	Merrill	Stubbs
Hain	Laxson	Money	Tuck
Hardin	Lemley	Nettles	Turnham
Harper	Lybrand	Neville	Waggoner
Harris	Lyons	Owen (Baldwin)	Weeks
Haygood	Manley	Pearson	Williams
Headley	Marr	Perloff	Wood
Higginbotham	Mays	Pruitt	Wright
Hobbie	McCorquodale	Robertson	Yeilding
Holman	McElhaney	Sessions	Young
House	McLain	Shumate	

—83

And the bill:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Was read a third time at length and passed.

Yeas 93; Nay 1.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Pennington
Agee	Downing	Jones	Perloff
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Laxson	Robertson
Beck	Ellis	Lemley	Sessions
Berryman (R)	Foshee	Lybrand	Shumate
Berryman (W)	Gafford	Lyons	Slate
Blanton	Garrett	Malone	Smith
Bowers	Gloor	Manley	Snell
Brannan	Graham	Marr	Springer
Brassell	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Tuck
Cherner	Harper	Meade	Turnham
Collier	Harris	Meeks	Waggoner
Collins (W)	Haygood	Melton	Watkins
Cook (Coffee)	Headley	Merrill	Weeks
Cook (Jefferson)	Higginbotham	Money	Williams
Crane	Hill	Nettles	Wood
Crawford	Hobbie	Neville	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Pearson	Young
Dobbs			

—93

Nay: Mr. Stubbs —1

And the bill:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

Was read a third time at length and passed.

Yeas 90; Nays 2.

Yeas:

Mr. Speaker	Dobbs	House	Pearson
Adwell	Doss	Jackson (F)	Pennington
Agee	Downing	Jones	Perloff
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Laxson	Robertson
Berryman (R)	Ellis	Lemley	Sessions
Berryman (W)	Foshee	Lybrand	Shumate
Blanton	Gafford	Lyons	Smith
Bowers	Garrett	Malone	Snell
Brannan	Gloor	Manley	Springer
Brassell	Graham	Marr	Starnes
Burgess	Grainger	Mathews	Steagall
Burgreen	Grayson	Mays	Stembridge
Cameron	Hain	McCorquodale	Tuck
Cherner	Hardin	McElhaney	Turnham
Collier	Harper	McLain	Waggoner
Collins (W)	Harris	Melton	Watkins
Cook (Coffee)	Haygood	Merrill	Weeks
Cook (Jefferson)	Headley	Money	Williams
Crane	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Culver	Hobbie	Owen (Baldwin)	Yeilding
Dill	Holman		—90

Nays: Messrs. Slate and Stubbs —2

And the bill:

S. 53 (with substitute). To permit corporations to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To permit corporations to pay a rate or rates of interest not to exceed 15 per centum (15%) per annum on the loan or forbearance of money having an original principal balance of Ten Thousand ($10,000.00) Dollars or more and less than One Hundred Thousand ($100,000.00) Dollars, and to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand ($100,000.00) Dollars as that corporation may determine without regard to any provision of law prescribing or limiting interest rates, to specify certain evidences of indebtedness to be included in the term "original principal balance", and denying to such corporations and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall not apply to any agreement involving the loan or forbearance of money where the original principal balance is less than Ten Thousand ($10,000.00) Dollars.

Section 2. Any domestic or foreign corporation organized for profit may agree to pay such rate or rates of interest for the loan or forbearance of money, as such corporation may determine, notwithstanding any law of this State otherwise prescribing or limiting such rate or rates of interest, provided, that the original principal balance of the loan or forbearance of money is not less than One Hundred Thousand (100,000.00) Dollars; and provided further, that where the original principal balance of the loan or forbearance of money is less than One Hundred Thousand ($100,000.00) Dollars, and not less than Ten Thousand ($10,000.00) Dollars, the rate or rates of interest thereon shall not exceed 15 per centum (15%) per annum.

Section 3. The term "original principal balance" as used herein, shall also include the total principal amount of indebtedness incurred in a single issue or sale of bonds, debentures, promissory notes, or like transaction without regard to the face amount or denomination of any bond, debenture, note or other evidence of indebtedness constituting a part of such issue or sale.

Section 4. As to any such loan or forbearance of money made in compliance with Section 2 of this Act, neither such corporation, its successors or assigns, nor any surety, guarantor, endorser, or any other person, firm or corporation, which may become liable, in whole or in part, for the payment of the debt and interest agreed to be paid thereon, or under any extension, amendment or renewal thereof, may raise or claim the defense or benefit of the usury law or any other law prescribing, regulating or limiting such rate or rates of interest.

Section 5. All laws or parts of laws in conflict with this Act are hereby superseded.

Section 6. If any section, provision, sentence or phrase of this Act shall be declared unconstitutional, or void for any reason, such adjudication shall not affect any other provision hereof, and the remainder thereof shall be left intact and valid.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 88; Nays 4.

Yeas:

Mr. Speaker	Crane	Harper	Mathews
Adwell	Crawford	Harris	Mays
Agee	Culver	Haygood	McCorquodale
Bank	Dill	Headley	McElhaney
Bassett	Dobbs	Higginbotham	McLain
Berryman (R)	Downing	Hill	Meade
Berryman (W)	Drake	Hobbie	Meeks
Blanton	Edington	Holman	Melton
Bowers	Ellis	House	Merrill
Brannan	Foshee	Jackson (F)	Money
Brassell	Gafford	Jones	Nettles
Burgreen	Garrett	Kilgore	Neville
Cameron	Gloor	Laxson	Owen (Baldwin)
Cherner	Graham	Lemley	Pearson
Collier	Grainger	Lybrand	Pennington
Collins (W)	Grayson	Lyons	Perloff
Cook (Coffee)	Hain	Malone	Pruitt
Cook (Jefferson)	Hardin	Manley	Sessions

Shumate	Starnes	Waggoner	Wood
Smith	Steagall	Watkins	Wright
Snell	Stembridge	Weeks	Yeilding
Springer	Turnham	Williams	Young

—88

Nays:

Messrs.:	Robertson	Slate	Stubbs
Doss			

—4

And the bill, S. 53, as thus amended:

To permit corporations to pay a rate or rates of interest not to exceed 15 per centum (15%) per annum on the loan or forbearance of money having an original principal balance of Ten Thousand ($10,000.00) Dollars or more and less than One Hundred Thousand ($100,000.00) Dollars, and to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand ($100,000.00) Dollars as that corporation may determine without regard to any provision of law prescribing or limiting interest rates, to specify certain evidences of indebtedness to be included in the term "original principal balance", and denying to such corporations and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

Was read a third time at length and passed, and ordered returned to the Senate.

Yeas 84; Nays 5.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Drake	Jones	Pennington
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Laxson	Pruitt
Berryman (R)	Foshee	Lemley	Sessions
Berryman (W)	Gafford	Lybrand	Shumate
Blanton	Garrett	Lyons	Smith
Bowers	Gloor	Malone	Snell
Brannan	Graham	Manley	Springer
Brassell	Grainger	Mathews	Starnes
Burgreen	Grayson	Mays	Steagall
Cameron	Hain	McElhaney	Stembridge
Cherner	Hardin	McLain	Turnham
Collins (W)	Harper	Meade	Waggoner
Cook (Coffee)	Harris	Meeks	Watkins
Cook (Jefferson)	Haygood	Melton	Weeks
Crawford	Higginbotham	Merrill	Williams
Culver	Hill	Money	Wood
Dill	Hobbie	Nettles	Wright
Dobbs	Holman	Neville	Yeilding
Doss	House	Owen (Baldwin)	Young

—84

Nays:

Messrs.:	Collins (C)	Slate	Stubbs
Burgess	Robertson		

—5

And the bill:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pennington
Agee	Downing	Jones	Perloff
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Laxson	Robertson
Berryman (R)	Ellis	Lemley	Sessions
Berryman (W)	Foshee	Lybrand	Shumate
Blanton	Gafford	Lyons	Smith
Bowers	Garrett	Malone	Snell
Brannan	Gloor	Manley	Springer
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mathews	Steagall
Burgess	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Cameron	Hardin	McElhaney	Tuck
Cherner	Harper	McLain	Turnham
Collier	Harris	Meeks	Waggoner
Collins (C)	Haygood	Melton	Watkins
Collins (W)	Higginbotham	Merrill	Weeks
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (F)	Pearson	Young
Dobbs			—93

And the bill:

H. 333. Authorizing the Commissioner of Agriculture and Industries, with the approval of the Board of Agriculture and Industries, to establish official grades and standards for the marketing of farm products, fish and seafoods, and to design brands, labels and trademarks in accordance therewith; providing conditions for the use of such brands, labels and trademarks; and prohibiting the misuses thereof; providing for public hearings and publication of certain notices; authorizing said Commissioner, with the approval of the Board of Agriculture and Industries, to establish rules and regulations to implement the purposes of this Act; and prescribing penalties for violations.

Was taken up.

Mr. Smith offered the following amendment to the bill, H. 333:

Amend House Bill 333 by adding at the end of Section 2 the words "Provided, however, this Act shall not apply to salt water fish and seafoods".

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pearson
Bank	Downing	Jones	Perloff
Bassett	Drake	Kilgore	Pruitt
Berryman (R)	Edington	Laxson	Robertson
Berryman (W)	Ellis	Lemley	Sessions
Blanton	Foshee	Lybrand	Shumate
Bowers	Gafford	Lyons	Smith
Brannan	Graham	Malone	Snell
Brassell	Grainger	Manley	Springer
Brown	Grayson	Marr	Starnes
Burgess	Hain	Mathews	Steagall
Burgreen	Hardin	Mays	Stembridge
Cameron	Harper	McElhaney	Stubbs
Cherner	Harris	McLain	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Higginbotham	Melton	Weeks
Cook (Jefferson)	Hill	Merrill	Williams
Crane	Hobbie	Money	Wood
Crawford	Holman	Nettles	Wright
Culver	House	Neville	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young
Dobbs			—89

And the bill, H. 333, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 4.

Yeas:

Mr. Speaker	Ellis	Lyons	Sessions
Agee	Foshee	Malone	Shumate
Bank	Graham	Manley	Slate
Bassett	Grainger	Marr	Smith
Berryman (R)	Hain	Mathews	Snell
Berryman (W)	Harper	Mays	Springer
Bolton	Harris	McCorquodale	Starnes
Brannan	Haygood	McElhaney	Steagall
Brassell	Headley	McLain	Stembridge
Brown	Higginbotham	Meeks	Stubbs
Burgreen	Hill	Melton	Tuck
Cameron	Hobbie	Merrill	Turnham
Collier	Holman	Money	Waggoner
Collins (W)	House	Nettles	Watkins
Cook (Coffee)	Jackson (F)	Neville	Weeks
Crawford	Jackson (T)	Owen (Baldwin)	Williams
Culver	Jones	Owens (W.E.)	Wood
Dobbs	Kilgore	Pearson	Wright
Downing	Laxson	Pennington	Yeilding
Drake	Lemley	Perloff	Young
Edington	Lybrand	Pruitt	—83

Nays:

Messrs.:	Garrett	Grayson	Robertson
Burgess			—4

BILLS RECOMMITTED

Pursuant to the motion previously made by Mr. Meade and adopted, the following bills were recommitted to the Standing Committees designated:

H. 195. Rules.

H. 312. Judiciary.

H. 61. Judiciary.

H. 63. Judiciary.

H. 64. Judiciary.

H. 65. Judiciary.

H. 103. Judiciary.

H. 104. Judiciary.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted to introduce the following bills out of order, and they were severally read one time and referred to appropriate standing committees, as follows:

INTRODUCTION OF BILLS

By Messrs. Manley and Pruitt (with notice and proof):

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Local Legislation No. 1.

Notice and Proof H. 689

STATE OF ALABAMA
COUNTY OF MARENGO

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate authorities of any city in Marengo County, and the Board of Revenue of Marengo County, may establish within the city, or within the county, ambulance service for the reception and conveyance of the sick, infirm or injured, and may make all needful rules and regulations for the control and management thereof. The corporate authorities of any city or cities within the county and the Board of Revenue may unite in the establishment of such ambulance

service, if deemed expedient, making it common for the use of the city and of the county, and in making of rules and regulations for the control and management thereof, and shall jointly have the same powers and authority above conferred upon each.

Section 2. The governing body of any such city or the county may make an appropriation or appropriations out of their respective treasuries to aid in maintaining such service for the benefit of the public. Any ambulance service established under the provisions of this act may pick up or discharge patients beyond the boundaries of the city or county.

Section 3. All laws and parts of laws in conflict with the provisions hereof are, to the extent of such conflict, repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARENGO

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jim T. McKay, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Demopolis Times, a newspaper of general circulation published in Marengo County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 8, 5-15, 5-22, and 5-29, all in the year 1969.

JIM T. McKAY.

Sworn to and subscribed before me June 6, 1969.

FLORENCE B. FLOWERS,
Notary Public.

My commission expires Oct. 23, 1971.

By Messrs. Lyons, Owen (Baldwin), Brannan, Wright, Lybrand, Smith, Bank, McCorquodale, Wood, Edington, Garrett, Pennington, Hill, McDonald, Downing, Collins (C), Nettles, Perloff, Collins (W), Melton, Meade, Drake and McLain:

H. 690. To change the membership of the Alabama Water Improvement Commission by amending Section 3 of Act No. 574, Page 1058, Acts of Alabama 1965 Regular Session, approved August 26, 1965, which created the present Alabama Water Improvement Commission.

Conservation.

By Mr. Burgreen (with notice and proof):

H. 691. To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

Local Legislation No. 1.

Notice and Proof H. 691

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Limestone County shall receive the following salaries to be paid from the general funds in equal monthly installments as salaries of county employees are paid:

Probate Judge, $10,500.00 per annum; Tax Assessor, $9,500.00 per annum; Tax Collector, $9,500.00 per annum; Circuit Clerk, $9,500.00 per annum; County Solicitor, $5,400.00 per annum.

Such salaries shall be in lieu of all other compensation heretofore provided by law and all fees, commissions, percentages and other charges heretofore collected for the use of any of the above officers shall be collected and paid into the general fund of the county.

Section 2. The board of revenue, court of county commissioners or any like governing body shall provide to certain officers an additional monthly allowance for the purpose of increasing salaries of clerks, assistants or deputies as follows:

(a) The salaries of full time clerks in the tax assessor's office shall be increased by 5% of their present salary up to a maximum of $367.50 per month. Part time clerks shall receive $240.00 per month.

(b) The salaries of full time clerks in the tax collector's office shall be increased by 5% up to a maximum of $367.50 per month. Part time clerks shall receive $240.00 per month.

(c) The salary of the chief clerk in the office of the circuit clerk shall be increased by 5% up to a maximum of $367.50 per month. The salary of the assistant clerk in said office shall be increased by 5% up to $341.25 per month.

(d) The salary of the chief clerk in the office of the probate judge shall be increased by 5% to a maximum of $392.50. The salary of each clerk in said office shall be increased by 5% up to $341.25 per month. Part time clerks shall receive $240.00 per month.

Section 3. The office of the circuit clerk is hereby authorized to hire one additional clerk for 90 days in each calendar year at a salary of $240.00 per month.

Section 4. The office of the probate judge is hereby authorized to hire one additional clerk for the period beginning October 1st and ending December 31st, in each calendar year at a salary of $240.00 per month.

Section 5. The salary of the coroner is hereby increased to $125.00 per month, and his expense allowance for mileage is hereby increased to 10c per mile.

Section 6. The salary of the chief deputy and each deputy in the sheriff's office is hereby increased by $50.00 per month. The salary of the jailers is hereby increased to $350.00 per month.

Section 7. The sheriff is hereby authorized to hire one investigator and one additional jailer. The investigator shall be compensated as follows: For the first 90 days he shall receive $480.00 per month, for the next nine months he shall receive $520.00 per month. After one year's

service he shall receive an annual salary of $6,900.00, which may be increased by the sheriff at his discretion to a maximum of $7,620.00 per annum.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws, or parts of laws in conflict herewith are hereby repealed, and any general, local or special law heretofore enacted relating to the compensation of any officer or employee within the purview of this Act is hereby expressly repealed.

Section 10. This Act shaall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law; provided that should there be a statutory or constitutional prohibition preventing any of the officers named in this Act from receiving the prescribed compensation immediately, the provisions of this Act shall become effective as to them immediately following the date on which such prohibition expires.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Baylis Hightower whc after being duly sworn deposes and says:

My name is Baylis Hightower. I am Treasurer of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 29th day of April, 1969, and the last copy of said publication appearing in the said paper on the 15th day of May, 1969.

BAYLIS HIGHTOWER.

Sworn and subscribed to before me this 2 day of June, 1969.

LOLA L. ORR,
Notary Public.

My commission expires 8-23, 1971.

By Mr. Burgreen (with notice and proof):

H. 692. Relating to the pubilc school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Local Legislation No. 1.

Notice and Proof H. 692:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Be It Enacted by the Legislature of Alabama:

Section 1. Each member of the board of education in Limestone County shall receive from the public school funds of the county the sum of $20.00 per day for attendance at each board meeting of the board and the sum of $25.00 per calendar month as an allowance for expenses incurred in attending meetings and transacting business of the Board. It is the intention of this act that each member of the board shall receive the lump sum of $25.00 each month for expenses without its being necessary to itemize such expenses and to further provide that no board member shall receive such expenses unless he attends at least one duly called board meeting each month or an official committee meeting when as many as three members of the board are present. The necessary expenses of the board members outside the confines of the county or state shall not be included in the above expense allowances but shall be in addition to such allowances; and further, that out-of-county or out-of-state expenses shall be incurred only upon the approval of the board of education. Expenses shall be paid on the same basis as expenses are paid the superintendent of education. Members of the board shall not be allowed per diem for more than thirty-six (36) days in any one year.

Section 2. The Limestone County Board of Education shall have the authority to budget and expend public school funds for the general operation of the office of the superintendent of education when the amount budgeted by the County Commissioners is not adequate to cover necessary costs.

Section 3. The Limestone County Board of Education shall have the authority to set the annual salary of the Superintendent of Education at a minimum of $12,000.00 per annum and not to exceed $15,000.00 per annum and shall also have authority to set travel and all other expenses of the Superintendent not otherwise allowed by law. When the Board of Education deems it necessary or advisable, they shall have authority to raise the Superintendent's salary and allowance for travel and other expenses during any term of office.

Section 4. The Limestone County Board of Education shall have the authority to set the annual salary and allowances for travel and other expenses of the administrative assistants of said board of education. The travel will be paid in a monthly lump sum without its being necessary to itemize such expenses to be used in attending professional and business meetings as required and deemed necessary by the Limestone County Board of Education.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Dorothy Brooks who after being duly sworn deposes and says:

My name is Dorothy Brooks. I am Assn't Bookkeeper of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 22nd day of April, 1969, and the last copy of said publication appearing in the said paper on the 13th day of May, 1969.

DOROTHY BROOKS.

Sworn and subscribed to before me this 2 day of June, 1969.

W. R. NELSON,
Notary Public.

My commission expires 7-18, 1970.

By Mr. Burgreen (with notice and proof):

H. 693. Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Local Legislation No. 1.

Notice and Proof H. 693:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Limestone County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be five dollars ($5.00), and shall be collected by the sheriff.

Section 2. One dollar of each fee so collected shall be deposited in the general fund of Limestone County, and four dollars shall be deposited into a fund to be designated The Sheriff's Fund. This fund should be expended by a board consisting of the Chairman of the Board of Revenue, Superintendent of Education and the Limestone County Sheriff to be used for the betterment of law enforcement within the county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned outhority in and for said county and state, Dorothy Brooks who after being duly sworn deposes and says:

My name is Dorothy Brooks. I am Assn't Bookkeeper of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for Four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 24th day of April, 1969, and the last copy of said publication appearing in the said paper on the 15th day of May, 1969.

DOROTHY BROOKS.

Sworn and subscribed to before me this 2 day of June, 1969.

W. R. NELSON,
Notary Public.

My commission expires 7-18, 1970.

By Messrs. Berryman (W) and Graham (with notice and proof):

H. 694. Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

Local Legislation No. 1.

Notice and Proof H. 694:

STATE OF ALABAMA
COUNTY OF FRANKLIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of revenue of Franklin County shall be entitled to reimbursement for all reasonable and necessary actual expenses of travel when traveling out of the county on business of the county. A sworn statement of such expenses with the dates on which they were incurred shall be submitted to the probate judge not later than 30 days after the incurrence of such expenses and shall be paid out of the general funds of the county upon the warrant of the probate judge that such payment is due. The expenses of travel provided

for in this act shall be in addition to the reguar expense allowance provided in Act No. 206, H. 337, Regular Session 1967 (Acts 1967, p. 570).

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law; however, it shall authorize reimbursement for travel expenses incurred on and after June 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, and May 29, and June 5, all in the year 1969.

CLAUDE E. SPARKS.

Sworn to and subscribed before me June 9, 1969.

MAE G. STREIT,
Notary Public.

By Messrs. Wood, Marr, Grayson, Downing, Collins (W) and Perloff:

H. 695. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County and making a change in the purposes for which may be levied and distributed the special tax authorized by the amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Edington, Marr, Grayson, Downing, Lyons, Nettles, Perloff and Wood:

H. 696. To provide for an exemption from ad valorem taxation of the property owned by the Mobile Carnival Association and parading organizations affiliated with it.

Local Legislation No. 3.

By Messrs. Wood, Marr, Grayson, Downing, Collins (W) and Perloff:

H. 697. To purpose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding $3,000,000 in principal amount for certain public buildings in the said county, to be additionally secured by a pledge of the special ad valorem

tax provided for in Amendment XVIII to the said constitution, as amended, providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of the said county contained in Section 224 of the said constitution, and specifying certain details pertaining to the said bonds and the sale thereof.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Stembridge and Crawford:

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Local Legislation No. 1.

By Messrs. Stembridge and Crawford (with notice and proof):

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 699:

STATE OF ALABAMA
HOUSTON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the 1969 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create and establish an inferior court of record of law and equity in Houston County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedures of said Court; to provide for the distribution of fines and forfeitures in certain cases; to provide for the transfer of certain causes now or hereafter pending in the Law and Equity Court of Houston County, Alabama, and to abolish the Law and Equity Court of Houston County, Alabama, repealing Act. No. 210, H. 479, Regular Session 1965, as amended, and all conflicting laws.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Houston County a court with limited jurisdiction of criminal cases and civil action at law and in equity which court shall make final records in

all cases except cases cognizable before justices of the peace. The Court shall be known as the Houston County Court and it shall replace the Law and Equity Court of Houston County established by Act No. 210, H. 479, Regular Session 1965, which court is hereby abolished.

Section 2. All cases and actions pending in the Law and Equity Court of Houston County on the effective date of this Act shall be transferred in the Court hereby created and shall proceed as though begun therein. As to judgments rendered by the abolished court (and judgments it had the power to control), the Houston County Court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it.

Section 3. (a) Except as provided in subsection (b), of this subsection, the Houston County Court shall have and exercise jurisdiction in all actions, causes, matters, proceedings, and cases, including actions of unlawful detainer, actions for the recovery of possession of land, cases of desertion, and non-support instituted by vitue of Article 3, Chapter 4, Title 34, Code of Alabama (1940), and cases involving juveniles arising under the provisions of Chapter 7, Title 13, Code of Alabama (1940), which are cognizable before the circuit court, or a county court, or the juvenile court, or justices of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have authority to exercise general superintendence of justice courts, and to punish contempts by fine not exceeding fifty dollars ($50) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and law-made rules governing the practice and procedure of courts of record.

(b) The Court shall not have power to try persons charged with felonies. ($2000.00), nor take cognizance of any civil action when the matter or sum in controversy exceeds two thousand dollars ($2000.00), not take cognizance of any matter or proceeding in equity, except suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

Section 4. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 5. (a) The Houston County Court shall have four divisions, namely, law, equity, criminal and juvenile. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competence of witnesses, admissibility of evidence, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts Interrogatories to adverse parties, as provided for by Article 8, Chapter 10, Title 7, Code of Alabama (1940), may be used, except that answers must be filed to such interrogatories within thirty (30) days after service of the interrogatories. If answers to the interrogatories are not filed the answers are not full, or are evasive, the court may either attach the party and cause him to answer fully in open court, or tax him with so much costs as may be just, and continue the cause until full answers are made, or direct a non-suit or judgment by default, to be entered, or render such judgment or decree as would be appropriate if such defaulting party offered no evidence.

(b) In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, defendant shall appear and plead, answer or demur thereto within twenty days. In suits in equity the defendant shall have thirty days

after the perfection of service on him in which to plead, answer or demur. If a defendant fails to plead, answer or demur within the prescribed time after service has been perfected on him, he shall be in default and on motion of the plaintiff judgment by default may be rendered against such defendant.

Section 6. (a) No prosecution shall be commenced in such court except upon sworn complaint made to either the judge or the Clerk of the court, or the deputy clerks of the court, or the assistant District Attorneys for Houston County), who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid, or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) A county or assistant District Attorney (for Houston County) shall prosecute for the State all criminal cases commenced in such court. The assistant District Attorneys shall be paid a salary, the amount to be determined by the District Attorney, which salary shall not exceed $200.00 for each month for the aggregate of all assistant District Attorneys. This sum shall be in addition to all sums now being paid assistant District Attorneys.

Section 7. (a) The Houston County Court shall be open at all times for the transaction of business, Sessions of the Court shall be held at the county courthouse at such times as the judge shall designate by orders spread upon the minutes of the court. At least one civil session and one criminal session shall be held each month. Sessions may be continued so long as may be necessary for the court to complete its business.

(b) The Sheriff shall, without additional compensation, attend the sessions of the court in person or by deputy. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

(c) The judge shall appoint a bailiff when he deems one necessary and the bailiff shall be compensated at the same rate as a Circuit Court bailiff.

(d) The judge shall have the same power and right to appoint an attorney to represent indigent defendants as judges of circuit courts.

Section 8. (a) For their attendance upon the sessions of the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, collected, and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) In addition to the fees for witnesses, the court shall have authority to tax costs for the use of the county as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars ($100), the same as in justice courts; (2) in every other civil action law, the same as in the circuit court; (3) in each equity case, the same as in the circuit court; (4) in each criminal case involving an offense of which justices of the peace have final jurisdiction, the same as in the justice courts; (5) in every other criminal case, the same as in county courts. The court shall tax other costs as prescribed by law (both general and local acts).

(c) A trial tax of one dollar ($1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred ($100). In every other civil action at law, in every suit in equity, and in every criminal case except criminal cases involving offenses of which justices of the peace have final jurisdiction, a trial tax of three dollars ($3.00) shall be collected for the use of the county.

(d) No costs shall be taxed in juvenile cases.

(e) In addition to the fines and forfeitures now provided by law to be paid into the general fund of Houston County, Alabama, one-half (50%) of all other fines and forfeitures collected in this court are to be paid into the general fund of Houston County, Alabama.

Section 9. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, Code of Alabama (1940), except that if the judgment of the court is for fifty dollars ($50) or less the party in whose favor the judgement is rendered shall have a period of only three years in which to have a writ of fieri facias or execution levied against the property of the defendant, and the lien of such judgment registered under the provisions hereof shall continue for a period of three years from the date of such judgment in the manner set out in Section 588 of said Title 7; and if judgment is for more than fifty dollars ($50), the lien of such judgment when registered under the provisions hereof shall continue for a period of ten years from the date of such judgment in the manner set out in Section 585 of said Title 7.

The discovery of assets of judgment debtors as provided by Article 2, Chapter 21, Title 7, Code of Alabama (1940) may be had in this court as in circuit courts.

Section 10. Any party aggrieved by a judgment, order, or ruling of the court may appeal the decision as herein provided.

(1) If the case is a civil case in the law division of the court, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Article 1 of Chapter 3, Title 13 of the 1940 Code.

(2) If the case is in equity, the appeal lies directly to the Supreme Court of Alabama and shall be governed by the provisions of Chapter 16, Title 7 of the 1940 Code.

(3) If the case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of the 1940 Code.

(4) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code, or to the Court of Appeals and shall be governed by Section 90 of Title 13 of the 1940 Code.

Section 11. (a) A Judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1970, and every six years thereafter. His term shall be for six years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) Immediately after the effective date of this Act, the Governor shall commission Hon. Don P. Bennett as Judge of the Houston County Court and the said Don P. Bennett shall hold office until his successor is elected or appointed as provided herein.

(c) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of Judge unless he is, at the time of his appointment or election, a qualified elector of Houston County, learned in the law, and has been licensed to practice law in this State for five years. The judge shall not practice law in any of the courts of this State or of the United States, and he shall be subject to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of judge shall be filled by appointment as provided in Section 158 of the Constitution.

(d) The judge shall receive an annual salary equal to an amount of $500.00 less than the base annual salary of circuit judges (as set by statute) payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid.

(e) The judge shall have authority to: (1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; (2) grant writs of injunction and ne exeat; (3) administer oaths and take acknowledgments; (4) issue search warrants; (5) excerise such other powers, jurisdiction, or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits for divorce or separate maintenance and cases involving domestic relations or the custody of children.

(f) The judge shall keep an office in the county courthouse, or such other place as may be provided by the governing body of the county. His office shall be suitable equipped, furnished and provided at the expense of the county with such office supplies and stationery, stamps, furniture, fixtures and other materials as may be necessary for the transaction of the business of the court.

(g) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code. Such special judge shall be paid out of the general funds of the county the sum of fifty dollars ($50.00) for each day he is called upon to serve during a regular session held pursuant to orders of the court duly spread upon the minutes of the court.

Section 12. (a) The circuit clerk of Houston County and the register of the circuit court shall be the clerk and register, respectively, of the court herein established; and the clerk may appoint a chief deputy clerk which shall be in addition to the chief deputy clerk of the circuit (and not the same person) who shall have all the power and authority that is herein given to the clerk. The judge shall appoint a clerk of the juvenile division who shall also act as a secretary to the judge. In addition to all bonds required of them, the clerk shall make bond in the sum of $10,000; the register $2,000.00, and the clerk of the juvenile division $2,000.00. The clerk of the juvenile division shall be paid a monthly salary of not less than $300.00 per month nor more than $500.00 and shall start at $300.00 per month and may be raised by the judge of the court as he deems it expedient. In addition to their regular compensation, the clerk and register each shall receive for such services the sum of $2,400.00 annually, which sum shall be payable in equal monthly installments. All salaries referred to in this Section 12 (a) shall be paid from the general fund of the county. Each shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. Each shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk, register and clerk of the juvenile division, respectively, to keep all the records, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk, register, and clerk of the juvenile division, respectively, shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits: (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) to approve bands in civil and criminal cases; (4) to enter all judgments, orders, and decrees of the court; (5) to certify all appeals and transcripts; (6) to excerise all powers and authority which are now or may hereafter conferred on clerks and registers of the circuit courts.

(d) The judge shall secure the services of a competent reporter to attend the sessions of the court and report all cases tried when request therefor is made by any party to a suit. He shall serve at the will and pleasure of the judge. The reporter shall receive an amount equal to the amount paid reporters in Circuit Courts for each day that he is called upon to serve, to be paid out of the general fund of the county, and in addition, he shall receive for his own use from the parties to suits, when they request such, for making a transcript of evidence taken by such reporter the same amount that he would be entitled to as a reporter in circuit court. He shall be required to keep his notes and records for public use and inspection. In all cases reported by the reporter there shall be taxed as part of the costs of the case a fee equal to a circuit court reporter's fee for each day or fraction thereof that such reporter shall be engaged in reporting the case, to be collected as costs as in other cases, and when collected paid into the county treasury of Houston County, Alabama.

Section 13. Act No. 210, H. 479, Regular Session of 1965 (Acts of Alabama 1965, Vol. 1 p. 289) and all acts amendatory thereof, and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 14. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. This Act shall take effect on the first of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wallace Miller, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Director of the The Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1969.

WALLACE MILLER.

Sworn to and subscribed before me May 23, 1969.

EUGENE S. McCLINTIC,
Notary Public.

By Mr. Brassell:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

Local Legislation No. 1.

By Mr. Brassell:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

Local Legislation No. 1.

By Mr. Brassell:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

Local Legislation No. 1.

By Mr. Brassell:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

Local Legislation No. 1.

By Mr. Snell:

H. 704. Relating to all counties having populations of not less than 37,000 nor more than 41,000; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, and providing for operation of their offices.

Local Legislation No. 1.

By Mr. Snell:

H. 705. Relating to all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

Local Legislation No. 1.

PASSAGE OF BILLS CONTINUED

And the bill:

H. 370. To amend further Code of Alabama 1940, Title 21, Section 4, which relates to the appointment of testamentary guardians, so as to change the time for claiming the right to appointment as a testamentary guardian.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nay 1.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff
Agee	Drake	Lemley	Pruitt
Bank	Edington	Lybrand	Robertson
Bassett	Ellis	Lyons	Sessions
Berryman (R)	Foshee	Malone	Slate
Berryman (W)	Garrett	Manley	Smith
Blanton	Gloor	Marr	Snell
Bolton	Grainger	Mathews	Springer
Brannan	Grayson	Mays	Starnes
Brassell	Hain	McCorquodale	Steagall
Burgreen	Hardin	McLain	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collier	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Watkins
Cook (Coffee)	Higginbotham	Neville	Weeks
Cook (Jefferson)	Hill	Owen (Baldwin)	Williams
Crane	Hobbie	Owens (W)	Wood
Crawford	House	Owens (W.E.)	Wright
Culver	Jackson (F)	Pearson	Yeilding
Dobbs	Jones	Pennington	Young
Doss			

—85

Nay: Mr. Brown —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Turner:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

Also:

By Messrs. Goodwyn and Pierce:

S. 303. To amend Act No. 403, Section 2, Acts of Alabama 1967, Vol. II, Page 1016, which provides for the sale of bonds in the amount of $5,000,000 for the purpose of constructing and equipping a four year college or branch of Auburn University.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 231. Education.

S. 303. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Stone, Turner, Clark, Torbert, Adams:

S. 309. To provide for organizing industrial development corporations; provide for definitions; provides the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Also:

By Mr. Albea:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 309. Ways and Means.

SENATE MESSAGE

S. 275. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Turner:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 116. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Skidmore:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 20. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Nabors:

S. 13. To amend House Bill 5 as passed by the 1969 Special Session of the Alabama Legislature; to provide for the changing of the name of the Alabama Commission of Higher Education.

Also:

By Mr. Nabors:

S. 16. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to increase the rate of interest that may be borne by bonds of a gas district organized under the said Act.

Also:

By Messrs. Torbert, Turner and Engel:

S. 101. To amend the Securities Act of Alabama (Acts 1959, v. 2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

Also:

By Mr. Clark:

S. 129. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

Also:

By Messrs. McCarley and Leonard:

S. 50. To amend Code of Alabama 1940, Title 36, Sections 1 and 36, as amended, so as to define further the term "authorized emergency vehicle," and to regulate the use of horns and warning devices on certain types of such vehicles.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committee as follows:

S. 13. Education.

S. 16. Ways and Means.

S. 101. Judiciary.

S. 129. Rules.

S. 50. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Hawkins, Morrow, Vacca, Dominick, Childs, Gilmore and Bailes:

S. J. R. 10. WHEREAS, the American Insurance Association, the firm that grades the cities' fire defenses and physical conditions for insurance purposes, came to Birmingham and surveyed that city's fire department in May 1967, and released their supplemental report in October, 1967; and

WHEREAS, the fire department has a relative value of 1500 points of deficiency that can be charged against it and for each 10 percent or 150 points charged against it a city will drop another class, and in 1959, Birmingham had 466 points charged against the fire department and so they were in Class 4, and in 1967 there were only 300 points charged against it and it was then moved into a Class 2 department; and

WHEREAS, since there are only thirty-eight cities in the United States with a Class 2 fire department, the Birmingham Fire Department was placed in the top one-half of 1 per cent of all fire departments, a record of which to be proud; and

WHEREAS, there are only seven cities in the United States that fall into a Class 1 department, and with the additional men that have been hired by the Birmingham Fire Department and the one new engine company in the eastern section of the City of Birmingham, that city might well be the next city to reach a Class 1 department; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Alabama Legislature do hereby commend the Birmingham Fire Department and the Birmingham City officials for the outstanding work in achieving this position.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Birmingham Fire Fighters Association 117, the Birmingham City Council and to the Mayor.

McDOWELL LEE,
Secretary.

The S. J. R. 10 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Turner:

S. J. R. 22. WHEREAS, the Ninety-ninth Anniversary of the Annual Masonic Day Celebration will be held in Florala, Alabama, on June 24, 1969, which is Saint John's Day; and

WHEREAS, this commemorative exercise was instituted in 1870 by St. Chapel Masonic Lodge No. 377 at Chapel Hill, which Lodge was in 1873 named Lake City Lodge No. 377, and thereafter in 1912 consolidated with Fidelity Lodge F. & A. M. No. 685 at Florala. The celebration has been remarkably successful over the years in attracting outstanding statesmen and patriots as speakers and participants. Many dignitaries of the Masonic Order have likewise joined in these events, which have meant so much to the Masons and to the people; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we warmly commend the fine organizations that are responsible for arranging these gala and festive occasions, and we join in welcoming to the forthcoming Annual Celebration the throng who will be afforded an opportunity to participate in this delightful and entertaining event.

RESOLVED FURTHER, That copies of this Resolution shall be sent to the Secretary of Fidelity Lodge F. & A. M. No. 685 at Florala, to the Grand Lodge F. & A. M., Montgomery, Alabama, and to the publishers of the Florala News.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Jackson (F), the rules were suspended and the House concurred in and adopted the S. J. R. 22 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Turner:

S. J. R. 8. WHEREAS, plans have been made by the Legislative Advisory Council of the Southern Regional Education Board for the 18th annual Legislative Work Conference on Southern Regional Education for July 10-11 at the Velda Rose Towers, Hot Springs, Arkansas, and

WHEREAS, each Governor customarily appoints a delegation of key legislators to participate in the Work Conference, and

WHEREAS, it is deemed beneficial to the interest of the State to have a delegation of key legislators attend this Conference, and

WHEREAS, the Governor of Alabama has been requested to designate members of the Legislature to attend said Conference;

NOW, THEREFORE, the Senate of Alabama, the House of Representatives, concurring, that an amount be appropriated out of the General Fund for legislative expenses to cover the expenses which may be incurred by said members who are appointed by the Governor to attend said Conference.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank, the rules were suspended and the House concurred in and adopted the S. J. R. 8 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Morrow:

S. J. R. 9. WHEREAS, on May 7, 1915, the S. S. Lusitania was sunk by a German submarine off the Irish coast, there being more than 100 American citizens aboard. This was an affront to the people of the United States of America, a basic challenge to the principles upon which our country was founded, FREEDOM, freedom of the Air, Sea and the individual.

WHEREAS, our government made every effort to effect a settlement of the conflict which had been raging against other free nations of the world for more than two years.

WHEREAS, the German submarines continued to sink ships on the high seas including a number of ships flying the American flag.

WHEREAS, this being a direct challenge to a nation of people who was dedicated to the principles of FREEDOM and the pursuit of happiness.

WHEREAS, on April 6, 1917, President Woodrow Wilson signed a Declaration of War against Germany, approved by both Houses of Congress.

WHEREAS, every qualified citizen in Alabama answered the call of our country to defend the principles we hold dear, without complaint or resentment.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to take this means of HONORING the Veterans of World War I of the State of Alabama for their unselfish service in defending our State and Nation in 1917 and 1918.

RESOLVED FURTHER, That copies of this resolution be sent to E. C. Stuckey, Veterans of World War I, Jeff Davis Barracks 1964, P. O. Box 7086, Montgomery, Alabama, host for the Annual State Convention, to be held on July 24, 25, and 26, 1969.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 9 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Tuck to adjourn until 12 o'clock Noon, Thursday, June 12, 1969, was lost.

Yeas 30; Nays 49.

Yeas:

Mr. Speaker	Doss	Manley	Shumate
Bank	Drake	Mathews	Slate
Berryman (R)	Hain	Mays	Snell
Bowers	Harper	Melton	Starnes
Brannan	Headley	Neville	Steagall
Brassell	Holman	Perloff	Tuck
Brown	Jackson (T)	Pruitt	Wood
Burgess	Kilgore		—30

Nays:

Messrs.:	Culver	Higginbotham	Owens (W)
Adwell	Dill	Hill	Pearson
Agee	Downing	Hobbie	Robertson
Bassett	Edington	House	Sessions
Berryman (W)	Ellis	Jackson (F)	Smith
Bolton	Foshee	Lybrand	Springer
Cameron	Garrett	Lyons	Stembridge
Cherner	Gloor	McCorquodale	Turnham
Collins (C)	Graham	McElhaney	Waggoner
Collins (W)	Grainger	Money	Wright
Cook (Coffee)	Grayson	Nettles	Yeilding
Cook (Jefferson)	Hardin	Owen (Baldwin)	Young
Crane	Harris		—49

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 37. Relative to the Ninety-ninth Anniversary of the Annual Masonic Day Celebration to be held in Florala, Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has occurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 20. Congratulating the League of Women Voters upon the occasion of its fiftieth anniversary.

Also:

H. J. R. 24. Mourning the death of Judge James A. Hare of Selma, Alabama.

Also:

H. J. R. 25. Recognizing the gallantry and courage of Robert Joseph Protivinsky of Dauphin Island who risked his own life to rescue five persons from drowning.

Also:

H. J. R. 26. Extending an invitation to Honorable Lister Hill to address a joint session of the Legislature.

Also:

H. J. R. 27. Congratulating the crew of the Apollo 10 on the successful completion of their brilliant space mission.

Also:

H. J. R. 28. Congratulating Judge John David Snodgrass on having received the 1969 Good Government Award of the Huntsville Junior Chamber of Commerce.

Also:

H. J. R. 29. Congratulating Honorable Newman M. Yielding, of Birmingham upon receiving the honorary degree of Doctor of Laws from Birmingham Southern College.

Also:

H. J. R. 33. Extending sympathy to the family of Honorable Frank C. Drane, Manager of the Hotel Admiral Semmes, Mobile.

Also:

H. J. R. 34. Mourning the death of Mr. Claude Taylor, Jr. of Tuscaloosa.

Also:

H. J. R. 35. Mourning the death of Honorable Charles Davis, Sr., prominent businessman of Tuscaloosa.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended Joint Rule 4 and sends same herewith to the House for its consideration:

4. No bill amending a section or part of the Code by reference to the section or other subdivision of the Code shall be introduced into either house unless the title thereof contains a brief statement of the general subject to which such section or subsection relates.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Joint Rule 4, set out in the above and foregoing Messsage from the Senate, was read and ordered to lay over one legislative day before considering same.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Hawkins:

S. 37. Relating to education; requiring local boards of education to provide financial assistance for handicapped children enrolled in day centers and special schools.

Also:

By Messrs. Turner and Engel:

S. 81. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act.

Also:

By Messrs. Gilmore, Hawkins, Vacca, Childs, and Bailes:

S. 44. To regulate The Establishment And Operation Of Separate Accounts By Life Insurance Companies Incorporated Under The Laws Of This State In Connection With Certain Individual And Group Con-

tracts Providing Benefits Payable In Fixed Or In Variable Dollar Amounts, Or In Both.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 37. Rules.

S. 81. Rules.

S. 44. Insurance.

RESOLUTION

The following resolution was introduced:

By Messrs. Turnham, Higginbotham and Brassell:

H. J. R. 39. WHEREAS Mr. H. Earle Williams' retirement on June 10, 1969 ends more than ten years of outstanding service as head of the Management Service, Cooperative Extension Service, Auburn University;

WHEREAS Mr. Williams, a native of Wilcox County who has also lived in Marengo and Lee Counties, and wherever he has lived has always given freely of his time and talents for the betterment of his home community, the State and the Nation;

WHEREAS Mr. Williams has been not just a member but an active leader and motivating force in far too many civic, social, religious, political and charitable organizations to enumerate here;

WHEREAS Mr. Williams has always been particularly interested in the development of the youth of this State and has contributed much of his time to guiding and working with the boys and girls of this State. Among his activities in this field are working with the Boy Scouts of America on all levels of that organization from local troups to the National Council. He received the Silver Beaver Award from the Georgia-Alabama Council of Boy Scouts in 1958. He has also served on the Board of Directors of the Tallecanocko Girl Scouts Council, as Faculty Advisor to Alpha Mu Chapter of Sigma Alpha Epsilon fraternity and as a member of the Faculty Advisors Council at Auburn University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama salutes Mr. H. Earle Williams on his retirement and hereby extends to him grateful appreciation for his many fine contributions to the progress and welfare of the State of Alabama.

BE IT FURTHER RESOLVED That the Clerk of the House of Representatives transmit a copy of this resolution to Mr. H. Earle Williams, 523 South College Street, Auburn, Alabama.

On motion of Mr. Turnham, the rules were suspended and H. J. R. 39 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Thursday, June 12, 1969, at 2 o'clock P. M., was lost.

Yeas 33; Nays 42.

Yeas:

Mr. Speaker	Culver	Holman	Owens (W.E.)
Bank	Dobbs	Kilgore	Perloff
Berryman (R)	Doss	Laxson	Robertson
Blanton	Downing	Manley	Shumate
Bolton	Drake	Mathews	Slate
Brannan	Hain	Mays	Starnes
Brown	Harper	Melton	Tuck
Burgreen	Headley	Merrill	Williams
Crawford			—33

Nays:

Messrs.:	Cook (Jefferson)	House	Owen (Baldwin)
Adwell	Crane	Jackson (F)	Owens (W)
Agee	Dill	Lemley	Pearson
Bassett	Edington	Lybrand	Smith
Berryman (W)	Foshee	Lyons	Stubbs
Burgess	Garrett	Malone	Turnham
Cameron	Gloor	McCorquodale	Wood
Cherner	Graham	McElhaney	Wright
Collins (C)	Hardin	Meeks	Yeilding
Collins (W)	Harris	Money	Young
Cook (Coffee)	Hobbie	Nettles	—42

PASSAGE OF BILLS RESUMED

And the bill:

H. 5. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owen (Baldwin)
Adwell	Downing	Jackson (T)	Owens (W)
Agee	Drake	Kilgore	Owens (W.E.)
Bassett	Edington	Laxson	Pearson
Berryman (R)	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lybrand	Robertson
Blanton	Garrett	Lyons	Sessions
Bolton	Gloor	Malone	Slate
Bowers	Graham	Manley	Smith
Brannan	Grayson	Mays	Springer
Brassell	Hain	McCorquodale	Starnes
Brown	Hardin	McElhaney	Stembridge
Burgreen	Harper	Meeks	Tuck
Cameron	Harris	Melton	Waggoner
Collier	Haygood	Merrill	Williams
Collins (C)	Headley	Money	Wood
Cook (Jefferson)	Hill	Nettles	Wright
Crane	Hobbie	Neville	Young
Dill			—73

MOTION TO ADJOURN LOST

The motion of Mr. Downing that the House adjourn until Thursday, June 12, 1969, at 12 o'clock Noon, was lost.

Yeas 38; Nays 40.

Yeas:

Mr. Speaker	Collins (C)	Laxson	Pruitt
Adwell	Doss	Manley	Shumate
Berryman (R)	Downing	Mathews	Slate
Blanton	Drake	Mays	Starnes
Bolton	Graham	Melton	Steagall
Brannan	Hain	Merrill	Tuck
Brassell	Harper	Nettles	Weeks
Brown	Headley	Owens (W.E.)	Williams
Burgreen	Holman	Perloff	Wood
Collier	Kilgore		—38

Nays:

Messrs.:	Foshee	Jackson (T)	Owen (Baldwin)
Agee	Garrett	Lemley	Pearson
Bassett	Gloor	Lybrand	Sessions
Berryman (W)	Grayson	Lyons	Smith
Cameron	Hardin	Malone	Springer
Cherner	Harris	McCorquodale	Stembridge
Cook (Jefferson)	Hill	McElhaney	Turnham
Crane	Hobbie	McLain	Wright
Culver	House	Meeks	Yeilding
Dill	Jackson (F)	Money	Young
Edington			—40

PASSAGE OF BILLS RESUMED

And the bill:

H. 427. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this State.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grayson	Manley
Adwell	Cook (Coffee)	Hain	Marr
Agee	Cook (Jefferson)	Hardin	Mathews
Bank	Crane	Harper	Mays
Bassett	Culver	Harris	McElhaney
Berryman (R)	Dill	Haygood	McLain
Berryman (W)	Dobbs	Headley	Meeks
Blanton	Doss	Hill	Melton
Bowers	Downing	Hobbie	Merrill
Brannan	Drake	Holman	Money
Brassell	Edington	Jackson (F)	Nettles
Brown	Foshee	Jackson (T)	Neville
Burgess	Garrett	Laxson	Owen (Baldwin)
Burgreen	Gloor	Lemley	Owens (W)
Cameron	Graham	Lybrand	Owens (W.E.)
Collier	Grainger	Malone	Pearson

Perloff	Smith	Tuck	Williams
Robertson	Springer	Turnham	Wood
Sessions	Starnes	Waggoner	Wright
Shumate	Steagall	Watkins	Yeilding
Slate	Stembridge	Weeks	Young

—84

MOTION TO ADJOURN LOST

The motion of Mr. Graham that the House adjourn until Thursday, June 12, 1969, at 2 o'clock P. M., was lost.

Yeas 40; Nays 54.

Yeas:

Mr. Speaker	Burgreen	Holman	Perloff
Adwell	Dobbs	Jackson (T)	Pruitt
Bank	Doss	Kilgore	Shumate
Berryman (R)	Downing	Laxson	Slate
Blanton	Drake	Manley	Starnes
Bolton	Graham	Mathews	Steagall
Bowers	Hain	McDonald	Tuck
Brannan	Harper	Melton	Weeks
Brassell	Haygood	Merrill	Williams
Brown	Headley	Neville	Wood

—40

Nays:

Messrs.:	Ellis	Lemley	Owens (W.E.)
Agee	Foshee	Lybrand	Pearson
Bassett	Gafford	Lyons	Robertson
Berryman (W)	Garrett	Malone	Sessions
Burgess	Gloor	Marr	Smith
Cameron	Grainger	Mays	Springer
Cherner	Grayson	McCorquodale	Stembridge
Collins (W)	Hardin	McElhaney	Turnham
Cook (Coffee)	Harris	McLain	Waggoner
Cook (Jefferson)	Hill	Meeks	Watkins
Crane	Hobbie	Money	Wright
Culver	House	Nettles	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young
Edington	Jones	Owens (W)	

—54

PASSAGE OF BILLS RESUMED

And the bill:

H. 428. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Burgreen
Adwell	Berryman (R)	Brannan	Cameron
Agee	Berryman (W)	Brassell	Cherner
Bank	Blanton	Burgess	Collier

Collins (W)	Hain	Manley	Sessions
Cook (Coffee)	Hardin	Marr	Slate
Crane	Harper	Mathews	Smith
Culver	Harris	Mays	Snell
Dill	Haygood	McCorquodale	Springer
Dobbs	Headley	McElhaney	Starnes
Doss	Hill	McLain	Steagall
Downing	Hobbie	Meeks	Stembridge
Drake	Holman	Melton	Tuck
Edington	Jackson (F)	Merrill	Turnham
Ellis	Jackson (T)	Money	Waggoner
Foshee	Kilgore	Nettles	Weeks
Gafford	Laxson	Neville	Williams
Garrett	Lemley	Owen (Baldwin)	Wood
Gloor	Lybrand	Owens (W)	Wright
Graham	Lyons	Owens (W.E.)	Yeilding
Grainger	Malone	Pearson	Young
Grayson			

—85

And the bill:

H. 20. Relating to fees of witnesses in criminal cases; amending Code 1940, Title 11, Section 103.

Was taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Thursday, June 12, 1969, at 12 o'clock Noon, was lost.

Yeas 45; Nays 45.

Yeas:

Mr. Speaker	Doss	Manley	Pruitt
Agee	Downing	Marr	Shumate
Bank	Drake	Mathews	Slate
Berryman (R)	Graham	Mays	Snell
Bolton	Hain	Melton	Starnes
Bowers	Harper	Merrill	Steagall
Brannan	Haygood	Neville	Tuck
Brassell	Holman	Owen (Baldwin)	Turnham
Brown	Jackson (T)	Owens (W.E.)	Weeks
Burgreen	Kilgore	Pearson	Williams
Collier	Laxson	Perloff	Wood
Dobbs			

—45

Nays:

Messrs.:	Edington	Jackson (F)	Nettles
Adwell	Ellis	Jones	Owens (W)
Bassett	Foshee	Lemley	Robertson
Berryman (W)	Garrett	Lybrand	Sessions
Blanton	Gloor	Lyons	Smith
Burgess	Grainger	Malone	Stembridge
Cameron	Grayson	McCorquodale	Waggoner
Cherner	Hardin	McElhaney	Watkins
Collins (W)	Harris	McLain	Wright
Cook (Jefferscn)	Hill	Meeks	Yeilding
Crane	Hobbie	Money	Young
Dill	House		

—45

H. 20 RESUMED

Mr. Springer offered the following amendment to the bill, H. 20:

Strike out "Section 103." of the bill and insert in lieu thereof the following:

"Section 103. Witnesses in criminal cases are entitled to five dollars per day and five cents for each mile to and from their residence by the route usually traveled, and all necessary ferriages and toll."

MOTION TO ADJOURN LOST

The motion of Mr. Haygood that the House adjourn until Thursday, June 12, 1969, at 12:30 P.M., was lost.

Yeas 45; Nays 47.

Yeas:

Mr. Speaker	Doss	Laxson	Shumate
Bank	Downing	Manley	Slate
Bassett	Drake	Mathews	Snell
Berryman (R)	Gafford	Mays	Starnes
Bowers	Graham	Melton	Steagall
Brannan	Grainger	Merrill	Stembridge
Brassell	Hain	Neville	Stubbs
Burgreen	Harper	Owen (Baldwin)	Tuck
Collier	Haygood	Pearson	Weeks
Crane	Holman	Perloff	Williams
Crawford	Kilgore	Pruitt	Wood
Dobbs			—45

Nays:

Messrs.:	Culver	Hobbie	Money
Adwell	Dill	House	Nettles
Agee	Edington	Jackson (F)	Owens (W)
Berryman (W)	Ellis	Lemley	Robertson
Blanton	Foshee	Lybrand	Sessions
Bolton	Garrett	Lyons	Smith
Burgess	Gloor	Malone	Springer
Cameron	Grayson	Marr	Turnham
Cherner	Hardin	McCorquodale	Watkins
Collins (W)	Harris	McElhaney	Wright
Cook (Coffee)	Higginbotham	McLain	Yeilding
Cook (Jefferson)	Hill	Meeks	Young
			—47

H. 20 RESUMED

The question was upon the adoption of the amendment offered by Mr. Springer to the bill, H. 20.

And the amendment was adopted.

Yeas 43; Nays 22.

Yeas:

Messrs.:	Brannan	Doss	Grayson
Agee	Brassell	Downing	Hain
Bank	Cameron	Drake	Harris
Bassett	Collier	Edington	Hill
Berryman (W)	Collins (W)	Foshee	Hobbie
Bowers	Culver	Graham	Holman

Jackson (F)	Mays	Money	Steagall
Jackson (T)	McCorquodale	Neville	Tuck
Lemley	McElhaney	Owens (W.E.)	Turnham
Lybrand	McLain	Perloff	Weeks
Marr	Melton	Snell	Young

—43

Nays:

Mr. Speaker	Dill	Malone	Slate
Blanton	Ellis	Nettles	Starnes
Bolton	Gafford	Owens (W)	Stembridge
Burgess	Gloor	Robertson	Wood
Cherner	Kilgore	Shumate	Wright
Crawford	Lyons		

—22

And the bill, H. 20, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 28.

Yeas:

Messrs.:	Dobbs	Hill	Money
Agee	Doss	Hobbie	Neville
Bank	Downing	Holman	Owen (Baldwin)
Bassett	Edington	Jackson (F)	Owens (W.E.)
Berryman (W)	Foshee	Jackson (T)	Pearson
Blanton	Garrett	Lemley	Perloff
Brannan	Graham	Lybrand	Robertson
Brassell	Grainger	Marr	Shumate
Brown	Grayson	Mays	Snell
Burgreen	Hain	McCorquodale	Springer
Cameron	Hardin	McElhaney	Steagall
Collier	Harris	McLain	Stubbs
Collins (W)	Haygood	Meeks	Tuck
Culver	Headley	Melton	Young

—55

Nays:

Mr. Speaker	Crawford	Lyons	Stembridge
Berryman (R)	Dill	Malone	Watkins
Bolton	Ellis	Nettles	Weeks
Burgess	Gafford	Owens (W)	Williams
Cherner	Gloor	Sessions	Wood
Cook (Coffee)	Harper	Slate	Wright
Crane	Kilgore	Starnes	Yeilding

—28

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:30 P. M. On June 10, 1969

H. J. R. 1

H. J. R. 3

H. J. R. 4

H. J. R. 5
H. J. R. 6
H. J. R. 7
H. J. R. 8
H. J. R. 10
H. J. R. 11
H. J. R. 12
H. J. R. 14
H. J. R. 15
H. J. R. 18
H. J. R. 19
H. J. R. 21
H. J. R. 22

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Drake, the House, in accordance with H. J. R. 38 heretofore adopted, adjourned until Thursday, June 12, 1969, at 12 o'clock Noon.

Yeas 50; Nays 44.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Perloff
Bank	Doss	Laxson	Pruitt
Bassett	Downing	Manley	Shumate
Berryman (R)	Drake	Marr	Slate
Blanton	Gafford	Mathews	Snell
Bowers	Graham	Mays	Starnes
Brannan	Hain	Melton	Stembridge
Brassell	Hardin	Merrill	Stubbs
Brown	Harper	Neville	Tuck
Burgreen	Harris	Owen (Baldwin)	Weeks
Collier	Haygood	Owens (W.E.)	Williams
Crane	Holman	Pearson	Wood
Crawford	Jackson (T)		—50

Nays:

Messrs.:	Dill	House	Owens (W)
Adwell	Edington	Jackson (F)	Robertson
Agee	Ellis	Lemley	Sessions
Berryman (W)	Foshee	Lybrand	Smith
Bolton	Garrett	Lyons	Springer
Burgess	Gloor	Malone	Steagall
Cameron	Grayson	McCorquodale	Turnham
Cherner	Headley	McElhaney	Watkins
Collins (W)	Higginbotham	Meeks	Wright
Cook (Coffee)	Hill	Money	Yeilding
Cook (Jefferson)	Hobbie	Nettles	Young
Culver			—44

TENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 12, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Charles W. Bell, St. Mark Methodist Church, Northport, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jones	Pennington
Adwell	Downing	Kilgore	Perloff
Agee	Drake	Laxson	Pruitt
Bank	Edington	Lemley	Robertson
Bassett	Ellis	Lybrand	Sessions
Berryman (R)	Foshee	Lyons	Shumate
Berryman (W)	Gafford	Malone	Slate
Blanton	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mathews	Springer
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McDonald	Stembridge
Cameron	Hardin	McLain	Stubbs
Cherner	Harper	Meeks	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Watkins
Cook (Coffee)	Higginbotham	Nettles	Weeks
Cook (Jefferson)	Hill	Neville	Williams
Crane	Hobbie	Owen (Baldwin)	Wood
Crawford	Holman	Owens (W)	Wright
Culver	House	Paulk	Yeilding
Dill	Jackson (T)	Pearson	Young

—96

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 53. To permit corporations to pay a rate or rates of interest not to exceed 15 per centum (15%) per annum on the loan or forebearance of money having an original principal balance of Ten Thousand ($10,000.00) Dollars or more and less than One Hundred Thousand ($100,000.00) Dollars, and to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand ($100,000.00) Dollars as that corporation may determine without regard to any provision of law prescribing or limiting interest rates, to specify certain evidences of indebtedness to be included in the term "original principal balance", and denying to such corporations and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 1. Commending Representative Bert Bank and Mr. Robert Inman for achieving recognition in their profession.

Also:

S. J. R. 2. Congratulating Mr. Ronald Hyche and each member of the Handley High Band.

Also:

S. J. R. 3. Relative to certain positions in the Legislature covered by the Employees' Retirement System, being credited with services rendered prior to October 1, 1966.

Also:

S. J. R. 4. Requesting that the printed Acts of the 1969 Extraordinary Session be bound with the printed Acts of the 1969 Regular Session.

Also:

S. J. R. 5. Memorializing the Congress of the United States to enact measures to provide that the pay of retired military personnel be recomputed on the same base and at the same time as the active members of the armed forces.

Also:

S. J. R. 6. Relative to the two Houses of the Legislature meeting again on Tuesday, May 27, 1969.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 13. Congratulating the League of Women Voters on their 50th Anniversary.

Also:

S. J. R. 14. Recognizing Mrs. Walter Bragg Smith, R. N., on her retirement.

Also:

S. J. R. 15. Commending Jean Marie Williams and Denise Williams for designing the flag for Etowah County's Centennial.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 51. To provide that all debts incurred under the Acts of Congress commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, shall be legal investments for banks, insurance companies, savings and loan associations, trustees, fiduciaries of all types and for any other person, firm or corporation.

Also:

S. 52. To exempt debts incurred under the Acts of Congress, commonly known as the National Housing Act and the Acts providing for Veterans' Benefits, as now existing or as they may hereafter be amended or supplemented, from usury and interest restrictions of this State.

Also:

S. 53. To permit corporations to pay a rate or rates of interest not to exceed 15 per centum (15%) per annum on the loan or forbearance of money having an original principal balance of Ten Thousand ($10,000.00)

Dollars or more and less than One Hundred Thousand ($100,000.00) Dollars, and to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand ($100,000.00) Dollars as that corporation may determine without regard to any provision of law prescribing or limiting interest rates, to specify certain evidences of indebtedness to be included in the term "original principal balance", and denying to such corporations and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 40. BE IT RESOLVED BY THE HOUSE That the following business in the order named be made special, paramount and continuing order of business for the Tenth Legislative Day, taking precedence over any other business of the House on this day:

Action on Message From The Senate relative to amending Joint Rule No. 4

Uncontested Local Bills

Standing Committee Reports

HB 432, Page 18

HB 108, Page 26

HB 109, Page 10

HB 255, Page 14

HB 310, Page 14

HB 311, Page 6

HB 313, Page 6

HB 314, Page 6

HB 315, Page 7

HB 316, Page 7

HB 324, Page 7

HB 325, Page 8

HB 349, Page 10

HB 590, Page 25

HB 21, Page 26

HB 28, Page 3

HB 342, Page 9

HB 120, Page 19

HB 81, Page 2

HB 272, Page 6

HB 197, Page 14

HB 293, Page 16

HB 200, Page 38

HB 201, Page 39

HB 588, Page 41

HB 534, Page 37

HB 279, Page 38

HB 358, Page 33

HB 359, Page 33

HB 236, Page 21

HB 70, Page 35

HB 71, Page 35

HB 430, Page 20

HB 298, Page 11

HB 299, Page 11

HB 300, Page 12

HB 301, Page 12

HB 302, Page 12

HB 303, Page 13

HB 141, Page 22

On motion of Mr. Merrill, H. R. 40 was adopted.

Yeas 51; Nays 28.

Yeas:

Mr. Speaker	Cook (Coffee)	Headley	Pearson
Adwell	Crane	Hobbie	Pennington
Agee	Crawford	Jones	Robertson
Bank	Dobbs	Kilgore	Shumate
Bassett	Downing	Lemley	Springer
Berryman (R)	Drake	Manley	Starnes
Berryman (W)	Ellis	Mays	Stembridge
Brannan	Gloor	McCorquodale	Tuck
Brassell	Grainger	McDonald	Watkins
Brown	Hain	Melton	Wood
Cherner	Harper	Merrill	Yeilding
Collier	Harris	Money	Young
Collins (W)	Haygood	Neville	

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Nays:

Messrs.:	Garrett	Lyons	Steagall	
Bowers	Grayson	Malone	Stubbs	
Burgess	Higginbotham	McLain	Turnham	
Cameron	Hill	Meeks	Waggoner	
Cook (Jefferson)	Holman	Nettles	Weeks	
Culver	Jackson (T)	Smith	Williams	
Dill	Kilgore	Snell	Wright	
Edington	Lybrand			—28

LEAVE OF ABSENCE

On motion of Mr. Foshee, leave of absence was granted to Mr. Jackson (F) because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions and ordered same returned to the House with a favorable report.

By Mr. Morrow:

S. J. R. 9. WHEREAS, on May 7, 1915, the S. S. Lusitania was sunk by a German submarine off the Irish coast, there being more than 100 American citizens aboard. This was an affront to the people of the United States of America, a basic challenge to the principles upon which our country was founded, FREEDOM, freedom of the Air, Sea and the individual.

WHEREAS, our government made every effort to effect a settlement of the conflict which had been raging against other free nations of the world for more than two years.

WHEREAS, the German submarines continued to sink ships on the high seas including a number of ships flying the American flag.

WHEREAS, this being a direct challenge to a nation of people who was dedicated to the principles of FREEDOM and the pursuit of happiness.

WHEREAS, on April 6, 1917, President Woodrow Wilson signed a Declaration of War against Germany, approved by both Houses of Congress.

WHEREAS, every qualified citizen in Alabama answered the call of our country to defend the principles we hold dear, without complaint or resentment.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to take this means of HONORING the Veterans of World War I of the State of Alabama for their unselfish service in defending our State and Nation in 1917 and 1918.

RESOLVED FURTHER, That copies of this resolution be sent to E. C. Stuckey, Veterans of World War I, Jeff Davis Barracks 1694, P. O. Box 7086, Montgomery, Alabama, host for the Annual State Convention, to be held on July 24, 25, and 26, 1969.

On motion of Mr. Mathews, S. J. R. 9 was concurred in and adopted.

Also:

By Messrs. Hawkins, Morrow, Vacca, Dominick, Childs, Gilmore and Bailes:

S. J. R. 10. WHEREAS, the American Insurance Association, the firm that grades the cities' fire defenses and physical conditions for insurance purposes, came to Birmingham and surveyed that city's fire department in May 1967, and released their supplemental report in October, 1967; and

WHEREAS, the fire department has a relative value of 1500 points of deficiency that can be charged against it and for each 10 per cent or 150 points charged against it a city will drop another class, and in 1959, Birmingham had 466 points charged against the fire department and so they were in Class 4, and in 1967 there were only 300 points charged against it and it was then moved into a Class 2 department; and

WHEREAS, since there are only thirty-eight cities in the United States with a Class 2 fire department, the Birmingham Fire Department was placed in the top one-half of 1 per cent of all fire departments, a record of which to be proud; and

WHEREAS, there are only seven cities in the United States that fall into a Class 1 department, and with the additional men that have been hired by the Birmingham Fire Department and the one new engine company in the eastern section of the City of Birmingham, that city might well be the next city to reach a Class 1 department; now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Alabama Legislature do hereby commend the Birmingham Fire Department and the Birmingham City Officials for the outstanding work in achieving this position.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Birmingham Fire Fighters Association 117, the Birmingham City Council and to the Mayor.

On motion of Mr. Gloor, S. J. R. 10 was concurred in and adopted.

AMENDED JOINT RULE 4 ADOPTED

Having laid over one day according to the rules of the House, the following Joint Rule 4, as amended by the Senate and contained in the following Message from the Senate, was reported out of the Standing Committee on Rules by Mr. Fite, Chairman, with a favorable report, and ordered returned to the House:

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended Joint Rule 4 and sends same herewith to the House for its consideration:

4. No bill amending a section or part of the Code by reference to the section or other subdivision of the Code shall be introduced into either house unless the title thereof contains a brief statement of the general subject to which such section or subsection relates.

McDOWELL LEE,
Secretary.

On motion of Mr. Gloor, the amended Joint Rule 4 was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Agee	Drake	Kilgore	Pennington
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Berryman (R)	Gafford	Lyons	Sessions
Berryman (W)	Garrett	Malone	Shumate
Blanton	Gloor	Manley	Slate
Bowers	Graham	Marr	Smith
Brannan	Grainger	Mathews	Snell
Brassell	Grayson	Mays	Springer
Brown	Hain	McCorquodale	Starnes
Burgess	Harper	McDonald	Steagall
Cameron	Harris	McLain	Stembridge
Cherner	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Waggoner
Collins (C)	Higginbotham	Merrill	Weeks
Collins (W)	Hill	Money	Williams
Crane	Hobbie	Nettles	Wright
Crawford	Holman	Neville	Yeilding
Culver	House	Owens (W)	Young
Dill	Jackson (T)		—82

UNANIMOUS CONSENTS GRANTED

Unanimous consents were granted to Mr. Young and others to introduce the following bills out of order, and said bills were introduced, severally read one time, and referred to appropriate standing committees as follows:

INTRODUCTION OF BILLS

By Messrs. Young and Smith:

H. 706. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

Agriculture.

By Mr. Young:

H. 707. A bill relating to all counties having populations of not less than 19,000 nor more than 19,500 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

Local Legislation No. 1.

By Mr. Young:

H. 708. A bill relating to all counties having populations of not less than 10,800 nor more than 12,000 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

Local Legislation No. 1.

By Messrs. House, McCorquodale, Pennington, Bank, Hill, Berryman (W), Merrill, Cameron, Snell, McDonald, Manley, Collins (W), Springer and Cook (Coffee):

H. 709. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Ways and Means.

By Mr. House:

H. 710. To prohibit and provide appropriate penalties for the sale, general distribution or exhibition of obscene matter in this state either to adults or minors under the age of eighteen years.

Ways and Means.

By Mr. House:

H. 711. To regulate the sale, purchase, possession and use of dynamite and other explosives; requiring permits for such purchases or possession and certain uses; providing for records and reports; and prescribing penalties for violations.

Ways and Means.

By Messrs. House and Harper:

H. 712. To prohibit and provide appropriate penalties for the removal, falsification or alteration of motor vehicle or engine identification numbers.

Ways and Means.

By Mr. House:

H. 713. To provide for punishment of persons who knowingly and wilfully deceive police officers in the conduct of investigations.

Ways and Means.

By Mr. House:

H. 714. To provide for the establishing of the Alabama Peace Officer Standards and Training Commission; for the appointment of members of the Commission; to provide for funds for the Commission; to define the powers and responsibilities and remuneration of the Commission; and to authorize participation in the program of the Commission by state, county and municipal police agencies.

Ways and Means.

By Mr. House:

H. 715. To make a conditional appropriation from the state treasury to the use of the Alabama Agricultural and Industrial Exhibit Commission for capital outlay purposes.

Ways and Means.

By Messrs. House, McCorquodale, Hill, Pennington, Bank, Cameron, Snell, Berryman (W), Merrill, Collins (W), McDonald, Manley, Springer and Cook (Coffee):

H. 716. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

Ways and Means.

By Mr. Watkins:

H. 717. To regulate further the business of certain public utilities, gas districts, power districts, electric membership corporations, electric co-operatives, municipal electric utility boards and district electric corporations.

Business and Labor.

By Messrs. Ellis, Crane, Dill, Yeilding, Cherner, Gloor, Adwell, House, Sessions, Waggoner, Jackson (T), Money, Watkins, Weeks, Kilgore, Holman, Cook (Jefferson), Wright, Malone and Bowers:

H. 718. To provide that all state funds appropriated for the use of state junior colleges, except appropriations for capital outlay purposes, shall be allocated on the basis of the average daily attendance of students in such junior colleges.

Ways and Means.

By Mr. Neville:

H. 719. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Conservation.

By Mr. Neville:

H. 720. To amend Section 6(1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961,

page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Conservation.

By Mr. Neville:

H. 721. To amend Section 3(1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Conservation.

By Messrs. Merrill, Lybrand, Hain, Steagall, Blanton, Brassell and Manley:

H. 722. To amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629), which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

Judiciary.

By Messrs. Downing, Collins (C), Wood, Edington, Grayson, Marr and Collins (W) (with notice and proof):

H. 723. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel or other functionaries, by whatever name called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed $5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969.

Local Legislation No. 3.

Notice and Proof H. 723:

LEGAL NOTICE

NOTICE

To Whom It May Concern:

Pursuant to constitutional requirement, notice is hereby given that at the regular session of the Legislature of the State of Alabama beginning in May, 1969, a bill will be introduced to add, to the powers now possessed by the Board of School Commissioners of Mobile County, the following powers.

To employ and pay guards, watchmen, security personnel, or other functionaries, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character, and to invest them with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act.

To let property—except the Barton Academy buildings and property —either owned in fee simple or over which the Board has the statutory right of direction, management and control, for a term not to exceed ninety nine (99) years, provided that if the value of such property exceeds five thousand ($5,000) dollars, and the lease be for a term exceeding fifty (50) years, its making must receive the unanimous vote of the Board and be approved by the Judge of Probate of Mobile County, and

provided further that the said restrictive requirements as to long term leases shall have no application to leases made prior to the first day of June, 1969.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issues of The Mobile Register May 17, 24, 31, and June 7, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 7th day of June, 1969.

W. F. EGAN,
Notary Public.

By Mr. Marr:

H. 724. To authorize the Alabama Public Service Commission to fix rates for advertising sold in telephone directories.

Business and Labor.

By Mr. Grayson:

H. 725. To repeal subsection (2) of Section 14 of Act No. 374, General Acts of Alabama, Regular Session 1959, known as the Alabama Small Loan Act, which said subsection permits a licensee to charge not more than one dollar ($1) for each five dollars ($5) cash advanced on loans up to the amount of seventy-five dollars ($75).

Rules.

By Mr. Collier (with notice and proof):

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Local Legislation No. 1.

Notice and Proof H. 726:

LEGAL NOTICES

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be

known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Elmore County, a court of record to be known as and called the Elmore County Court, which Court shall have and exercise civil and criminal jurisdiction as hereinafter provided.

Section 2. The Elmore County Court shall have civil jurisdiction in all civil matters of which justices of the peace of Elmore County have jurisdiction under the general laws of the State of Alabama, concurrently with the several justices of the peace in the county; and in addition thereto, the court shall have jurisdiction, concurrently with the circuit court of Elmore County, of all matters, suits, and actions at law which are in amount more than the jurisdiction of the justices of the peace, and not more than $1,200, and when the value of the property sued for in a suit in detinue is not more than $1,200; provided, however, that the court shall not have and exercise civil jurisdiction of actions in the nature of ejectment, and the court shall have original jurisdiction, concurrently with the circuit court of Elmore County, of all misdemeanors committed in the county. It shall have preliminary jurisdiction of all felonies, and of bastardy and of other criminal and quasi-criminal proceedings cognizable before justice of the peace courts. The court shall have jurisdiction of all matters, suits, and actions cognizable before a juvenile court; and of all cases of desertion and non-support arising under the provisions of Article 3, Chapter 4, Title 34, Code of Alabama (1940). The jurisdiction of the Elmore County Law and Juvenile Court, as hereinabove provided, shall be coextensive with the county. The court may suspend execution of sentence and place on probation any person convicted of a misdemeanor, the same as the circuit court, and the period of probation or suspension of execution of sentence shall be determined by the court.

Section 3. The judge of the court shall have been a resident in and a qualified elector of the county for at least two years at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be at least 25 years of age, learned in the law and shall have been admitted to the practice of law in this State. He shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts. This act shall become a law and be in full force and effect upon its passage and approval by the Governor, but it shall not affect the term of office of the present judge of the Elmore County Law & Juvenile Court or his successor in office. Such incumbent judge shall be the judge of the court created and established herein until the first Monday after the second Tuesday in January, 1975, and until his successor is elected and qualified as now required by law, or as provided in this act. He shall perform the duties, and receive the compensation as herein provided for the judge of this court.

Section 4. The term of office of the judge of this court, who shall be elected by the qualified electors of the county, at the general election for state and county officers in the year 1974 and every six years thereafter, shall be for six years from the first Monday after the second Tuesday in January, 1975, and until his successor is elected or appointed and qualified. Upon the passage and approval of this act, or upon its other-

wise becoming a law, the Governor shall issue a commission to the incumbent judge of the Elmore County Law & Juvenile Court at the time this act becomes effective as judge of the Elmore County Court, as herein provided; and after the election of the judge of this court as herein provided the Governor shall likewise issue to him a commission as such judge. Before entering upon the duties of his office, the judge of this court shall take the oath of office in the form required by law to be taken by judges of the circuit court of this State and he shall be removed from office for the same causes and in the same manner as is now or may be hereafter provided for removal of circuit judges. In the event of the vacancy caused by the resignation, removal or death of the judge, or for other causes, the Governor shall fill the office by appointment and the person so appointed shall hold office as provided for in Section 158 of the Constitution of this State. In case the judge shall be unable at any time to discharge the duties of his office by reason of sickness, disqualifications, or other causes, the judge shall make, or cause to be made by the clerk thereof, when the facts warrant it, an order setting forth the reasons of his inability to sit in the court, and the order shall be spread on the minutes of the court. Thereupon, the clerk of this court shall designate and appoint in writing, which appointment shall be spread on the minutes of this court, some practicing attorney of the county or State of Alabama who is learned in the law, as special judge thereof, and the person so designated and appointed shall perform all of the duties and exercise all of the powers and authority of the judge of this court, and shall hold said office until the regular judge thereof shall resume his duties. The said special judge shall receive not less than $5.00 nor more than $50.00 as compensation for his services for each day he serves as judge of this court, said compensation to be fixed by the clerk of said court payable in the same manner and from the same funds as the compensation of the regular judge is paid. The regular judge of this court shall have authority to administer oaths, and take acknowledgements and affidavits in all cases, and to solemnize marriages, the same as circuit judges of this State.

Section 5. The judge of the Elmore County Court shall receive a salary of Ten thousand dollars ($10,000) per annum, payable in equal monthly installments out of the general fund of the county, upon the warrant of the probate judge. Such judge is hereby authorized and directed to issue monthly warrants which shall be a preferred claim against the general fund.

Section 6. The clerk of the Circuit court of the county shall act and be clerk of the Elmore County Court, hereby established, and he shall keep a civil and criminal docket of all cases brought before the court, and all of the minutes and records as are now required by law to be kept by clerks of the circuit courts, and he shall have authority to issue all necessary summonses and complaints as to all cases filed in the court, and all other civil and criminal process which clerks of the circuit courts are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in the court. It shall be the duty of the clerk to tax and collect in each civil and criminal case in the Elmore County Court the same costs and fees for services of the solicitor, the clerk, the sheriff, and the witnesses as are now allowed by law to be taxed, charged, and collected in the circuit court of this State, which he shall disburse as is now required of said fees in the circuit courts of Elmore County, except as may be hereinafter provided. It shall also be the duty to collect, or receive from the sheriff, all fines and forfeitures in the court, which together with the solicitor's fees taxed and collected in the court, he shall pay into the fine and forfeiture fund of the county, in the same manner as now provided for the disposition of such funds in the circuit court of Elmore County. The clerk shall tax in each civil case, except when the amount involved is

less that $101.00, a trial fee of two dollars and shall tax in all criminal cases a trial fee as hereinafter provided, to be collected as all other costs are collected, and when collected, to be paid into and become a part of the general fund of the county. The court costs and fees in all prosecutions in the Elmore County Court for violations of the prohibition laws, for carrying a concealed weapon, and for petit larceny or offenses of petit larceny grade, adultery, and assault with a weapon, shall be the same as those prescribed for county courts by the general laws of the state, except that the trial tax in such cases shall be three dollars. The court costs and fees for misdemeanors other than violation of the prohibition laws, carrying a concealed weapon, petit larceny or offenses punishable like petit larceny, adultery, and assault with a weapon, in bastardy proceedings, in peace proceedings, and in preliminary examinations shall be the same as those prescribed by the general laws of the state; provided, that in all such cases the trial tax shall be one dollar and no solicitor's fee shall be taxed as a part of the cost. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to any witness entitled to such fee, who in not more than five days proves his attendance upon the court in any case therein pending by obtaining a witness certificate, and who presents to the clerk such certificate for payment within ninety days after the payment of cost in the cases in which the certificates were issued. No costs shall be taxed in any civil case for witness fees of any witness who fails to prove his attendance as a witness and to obtain a witness certificate within the five day period prescribed. In case any civil witness certificate is issued, but not presented for payment within ninety days after the payment of costs in the case in which the certificate was issued, the witness fee shall revert to the general fund of the county. The clerk shall pay to the county treasurer, for the use of the general fund, all such reverted fees in his hands on the first Monday of each month. State witness fees in criminal cases shall be taxed, collected, paid into, and disbursed from the fine and forfeiture fund of the county. Each witness attending court in civil cases shall be entitled to seventy-five cents per day and five cents per mile actually travelled by the most direct route in going to court and returning home and the witness fees shall be taxed as a part of the costs and shall be collected and disposed of as herein provided. It is expressly provided that Act No. 586 approved September 8, 1967 (1967 Acts of Alabama, Volume II page 1358 and 1359), shall apply to said Court, and that the cost and fees provided for therein shall be collected in addition to the costs and fees provided for in this Act. The clerk shall attend upon the sessions of the court at such hours as are designated by the judge thereof and shall perform such other duties as may be prescribed by the judge of the court and by this act, either in person or by deputy. The clerk shall issue certificates of judgments of the court, in the same form as is now provided by law for issuance of certificates of judgments from the circuit courts. The owner of any judgment rendered by the court may file in the office of the judge of probate of any county in this State such certificate of judgment issued by the clerk as hereinabove provided, under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered by the circuit courts of this State; and when so filed such judgments shall be a lien in the county where filed on all property of the defendant which is subject to levy and sale under execution. The filing of such certificate of judgment shall be notice to all persons of the existence of the lien thereby created. Such lien shall continue for ten years from the date of such judgment and no insolvency proceedings or declaration of insolvency shall affect or impair such lien, except bankruptcy proceedings instituted within four months after the filing of the certificate, provided by law. Execution may be issued at any time within ten years from the date of such judgment, whether execution has been previously issued or not. The clerk of the court, before entering into the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county

commissioners of the county, payable and conditioned as are official bonds required of clerks of the circuit courts, to be taken and approved by the judge of probate of the county, and recorded in the probate office of the county. There shall be the same liabilities and remedies upon said bonds as upon bonds of the clerks of the circuit court of this state. The premium on the bond or bonds shall be paid out of the general fund of the county.

Section 7. The sheriff of Elmore County shall, in person, or by deputy, be required to attend upon the court and to preserve order and execute all writs or process issued therefrom, and to perform such other duties in all respect as he is required by law to perform in the circuit court of Elmore County.

Section 8. The deputy solicitor for the county shall prosecute for the state all criminal cases in the court created by this act. His entire compensation shall be a salary of Four thousand eight hundred dollars ($4,800) per annum, to be paid out of the general fund of the county, in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund of the county.

Section 9. There shall be a Tallassee Division and a Wetumpka Division of the Court. The Tallassee Division shall include and be composed of the following beats or precincts in Elmore County, viz: Precinct 1, precinct 2, precinct 3, precinct 4, precinct 13, and precinct 19; and the Wetumpka Division shall include and be composed of the following precincts in Elmore County, viz: Precinct 5, precinct 6, precinct 7, precinct 8, precinct 9, precinct 10, precinct 11, precinct 12, precinct 14, precinct 15, precinct 16, precinct 17, and precinct 18. The sessions of the court of the Tallassee Division shall be held at some place in the city of Tallassee or in the police jurisdiction thereof, and the sessions of the court of the Wetumpka Division shall be held at the Court house in the City of Wetumpka. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the first and third Mondays of each month there shall be held a session of the court for the handling, trial, and disposition of all criminal and quasi-criminal cases therein pending in the Wetumpka Division of Elmore County, which shall continue as long as necessary to dispose of the docket; and on the second Monday of each month there shall be held a session of the court for the handling, trial, and disposition of all cases therein pending in the Tallassee Division of Elmore County, which shall continue as long as necessary to dispose of the docket. On the fourth Monday of each month, there shall be held a session of the court in the Wetumpka Division for the handling, trial and disposition of all civil cases therein pending which shall continue as long as necessary to dispose of the docket. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that after any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of the court for trial. All suits and actions on contract or in tort except as otherwise provided in this act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

Section 10. All prosecutions for misdemeanors may be instituted in the court by making affidavit before the judge or the clerk of the court, and the writ on said affidavit shall be issued by the clerk. In all

preliminary proceedings in prosecutions for felonies begun in the court, the same may be instituted by affidavit before the judge or clerk, and the writ thereon shall be issued by the judge or the clerk. When the defendant is arrested on affidavit and warrant charging a misdemeanor the case shall go to the docket for trial and be tried as though the defendant had been indicted by a grand jury, expect as hereinafter provided. The defendant shall not be put upon trial in any cause within five days of his arrest, except with his consent. The judge of the court shall have the right and authority to issue all processes returnable into his court that are not especially provided to be issued by the clerk of the court, but he shall not prepare any summons and complaints, garnishments, detinue attachments, papers or other writs of process issuing out of said courts. All writs must be made returnable to the division of this court in which the alleged crime was committed.

Section 11. All criminal cases in the court shall be tried by the judge thereof without a jury, and the accused shall not have the right to demand a trial by jury, but in all trials of criminal cases in the court, the judge shall determine both the law and the facts without the intervention of a jury, and in cases of conviction the defendant shall have the right to appeal to the circuit court as provided for in Section 326 of Title 13 of the Code of Alabama (1940,) except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant, made at the time of taking the appeal.

Section 12. A party aggrieved or desiring to bring a charge of misdemeanor before this court may, upon applying to the judge or clerk for a warrant of arrest and upon making affidavit in writing that he has probable cause for believing and does believe, that a specifically identified property, as the case may be, then the judge or clerk of the court shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of any affidavit, complaint, or warrant pending in this court or when a defect appears in any of the same, the solicitor or other person prosecuting for the state shall have the right to amend any or all the papers to which the objection is directed, or where such defect appears; or the solicitor may instead of amending the papers, make a brief statement of the cause of complaint signed by him, which may be substantially in the form provided in Section 259 of Title 15 of the Code of Alabama (1940) as amended and may be amended as herein provided. Thereupon the court shall proceed to try the case either upon the original papers or the original as amended, or upon the statement or statements filed by the solicitor or other person prosecuting for the state.

Section 13. All proceedings in the court as to judgment for fine and costs, confession of judgment and executions thereon, sentence to jail or hard labor for fines and costs, and as additional punishment, bail, conditional judgments, forfeitures, judgments, final and alias warrants of arrest, shall be the same in the Elmore County Court, as are now, or may hereafter be, provided for by law in the circuit courts; and conditional judgments may be set aside therein, reduced, or made absolute and the same orders and judgments may be made and taken in such matters as could be made or taken in the circuit courts; and the same procedure shall be followed, except as otherwise provided by this act.

Section 14. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement of the cause of complaint signed by him, in substantially the form prescribed by Section 259 of Title 15 of the Code of Alabama (1940), as

amended, or the trial may proceed upon the original affidavit or complaint. On the trial of such appeal, the court shall be governed by the same rules as to evidence, practice, find of the jury, and punishment as if the case had originated in that court.

Section 15. All general laws relating to misdemeanors, now in force or that may hereafter be enacted, shall apply to and extend to this court, unless the contrary be expressly provided or limited by the laws so enacted.

Section 16. In all civil actions in this court, the pleadings and process and the time for filing pleadings shall conform to and be governed by the statute and rules obtaining in the circuit court of Elmore County, except that the issuance, levy, and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this state, and the defendant shall have only ten days to plead, answer, or demur to a complaint filed against him.

Section 17. In all civil matters in this court the trial of the same shall in all respects be governed by the same rules of pleading, evidence, procedure, and practice as now prevail or govern in the circuit courts of this state, except as hereinafter provided. A party litigant after being served with statutory interrogatories shall be required to answer the interrogatories within thirty days, and upon his failure to do so shall be subject to the same pains and penalties as are now provided by law for failure to answer interrogatories propounded in the circuit court. Any party desiring to appeal from any judgment rendered in this court, except from judgments for the possession of real estate, may give security for the cost of the appeal in the form of an appeal bond, said bond to be approved by the clerk of said court; provided that if the party appealing desires to have the judgment superseded, when the judgment is for the payment of money or for the recovery of possession of personal property he may do so by giving a supersedeas bond with good and sufficient security or surety in such an amount as herein provided payable to the adverse party and approved by the clerk with the condition that if he fail in the appeal he will pay such judgment as the circuit court may render in the premises and all such cost and damages as any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment. The appeal bond and security or surety for court cost and supersedeas bonds must be filed with and approveed by the clerk within ten days from the date of the rendition of the judgment. The supersedeas bond shall be in an amount double the amount of the judgment and cost of court in the case of a judgment for the payment of money; and shall be in the amount double the value of the personal property recovered in the suit and court costs, in the case of a judgment for the recovery of or possession of personal property. Any party desiring to appeal from any judgment rendered in this court for the possession of real estate may do so and that appeal shall be governed in all respects, including time allowed within which to take the appeal, amount and condition of appeal bond and in all other respects, by the general laws of this state relating to appeals in such cases from judgments of justice of the peace courts. Notice of all appeals in civil cases from this court shall be given the adverse party in such manner and for such time as is prescribed by the general laws of this state relating to notice of appeals from judgments rendered in justice of the peace courts.

Section 18. All civil cases in this court shall be tried by the judge without the intervention of a jury. The judge shall determine both the law and the facts, and either party shall have the right to appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury on the trial in the circuit court and the trial in the circuit court shall be de novo.

Section 19. Final judgments rendered in civil causes in such court shall after the expiration of ten days from their rendition be taken and deemed to have passed beyond the control of the court, as if such term of the court at which the judgments were rendered had ended; provided, however, that nothing herein contained shall prevent the parties from filing a motion to vacate, set aside, or modify such judgment or grant a new trial or rehearing within ten days, or change or destroy the office of motion for a new trial or rehearing, when so made. Such motions shall be filed with the clerk of the court and called to the attention of the court, and the court may thereupon hear the motion or make an order continuing the motion for hearing at a future day, which motion shall be heard and determined within thirty days from the date of rendering the judgment.

Section 20. The judge of this court shall have the power to impose fines and sentence to hard labor upon convictions in misdemeanor cases, and to punish for contempt by fine not to exceed $50.00, and imprisonment in the county jail not to exceed five days, either or both, the same as judges of the circuit courts of this state. The judge of this court shall also have power to issue, hear, and determine writs of habeas corpus. The procedure, practice, and rules of the circuit courts of Alabama relating to such writs as are now, or which hereafter may be provided by law shall prevail in the Elmore County Court, and appeals from judgments or decrees in habeas corpus proceedings shall be governed by Code 1940, Title 15, Section 369. The judge shall have the same power relating to such writs as is now, or hereafter may be, conferred upon the judges of the circuit courts of Alabama; and such power shall extend to all cases where the judges of the circuit courts have the authority to issue such writs.

Section 21. The judge of this court shall keep an office in the court house of the county, or in such other suitable place in the county as the court of county commissioners may provide; and it shall be the duty of the court of county commissioners to provide an office for the judge, and to furnish and supply the office with the necessary fixtures, stationery, stamps, telephone, lights, heat, and other necessary supplies for the judge of this circuit; and it shall be the duty of the court of county commissioners, and they are hereby directed and authorized, to supply the clerk of the court the necessary minute books, dockets, blank forms, records books, and such other books, records, and blank forms, as are reasonably necessary to the dispatch of the business of this court.

Section 22. The Elmore County Law & Juvenile Court is hereby abolished and all cases and causes now pending in such court, together with the records pertaining to such pending cases, are hereby transferred to the Elmore County Court. Immediately upon the passage and approval of this act or upon its otherwise becoming a law, such court shall assume complete jurisdiction over all such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Elmore County Court, except as to appeals in habeas corpus cases. The clerk of this court shall enter on the appropriate dockets of this court, all cases now pending in the Elmore County Law and Juvenile Court. All judgments heretofore rendered by such court shall be the same and shall have the same force and effect as if they had been rendered by the Elmore County Court, and such court shall have the same power and control, except as to appeals in habeas corpus cases, over such judgments and shall issue executions and all other processes thereon, the same and as fully and completely as if such judgments had been originally rendered in the Elmore County Court. All of such executions and other processes issued on judgments heretofore rendered by the Elmore County Law and Juvenile Court shall be issued by the clerk of the Elmore County Court.

Section 23. If, for any reason, any section, clause or provision of this act shall be declared to be invalid, or unconstitutional, it shall not be held to affect any other section, clause or provisions, but the same shall remain in full force and effect.

Section 24. All laws and parts of laws, whether local, general or special, in so far as they conflict with the provisions of this act, are hereby repealed.

Section 25. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me June 5, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

By Mr. Edington:

H. 727. Relating to automobile license tags; authorizing the secretary of the USS ALABAMA Battleship Commission to use a special tag number.

Ways and Means.

By Mr. Edington:

H. 728. To amend Act No. 168 (H. 270) Special Session of 1966 relating to the Alabama Historical Commission by increasing the Commission membership from eleven to fifteen persons.

State Administration.

By Mr. Headley:

H. 729. To amend further Code of Alabama 1940, Title 52, Section 136 as amended, to provide for payment for unused sick leave to certain teachers.

Ways and Means.

By Mr. Harper (with notice and proof):

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 730:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Camp Hill in Tallapoosa County are hereby altered, rearranged, redefined and extended so as to include within the corporate limits of the Town a tract of land more particularly described as follows:

In Section 8, Township 21 North, Range 24 East: The southwest quarter and the southeast quarter.

In Section 9, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

In Section 10, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

Section 17, Township 21 North, Range 24 East.

Section 16, Township 21 North, Range 24 East.

Section 15, Township 21 North, Range 24 East.

Section 20, Township 21 North, Range 24 East.

Section 21, Township 21 North, Range 24 East.

Section 22, Township 21 North, Range 24 East.

In Section 29, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 28, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 27, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

All the above described lands lying in Sections 8, 9, 10, 15, 16, 17, 20, 21, 22, 29, 28, and 27, Township 21 North, Range 24 East, Tallapoosa County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ray Pruitt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 12-19-68, 12-26-68, 1-2-69, and 1-9-69, all in the year 1968-69.

RAY PRUITT.

Sworn to and subscribed before me June 11, 1969.

JEAN DAVIS,
Notary Public.

By Mr. Harper:

H. 731. To amend Code of Alabama 1940, Title 51, Section 545, levying a privilege license tax on lightning-rod salesmen to make further provisions for levying such privilege licenses.

Ways and Means.

By Messrs. Turnham, Higginbotham and Brassell:

H. 732. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 49,000 nor more than 50,000.

Local Legislation No. 1.

By Messrs. Turnham, Young, McCorquodale, Hardin, Bank and Grainger:

H. 733. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Ways and Means.

By Mr. Turnham:

H. 734. To amend Sections 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and to repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

Education.

By Messrs. Turnham, Sessions, Gloor, Jackson (T), Ellis, Cook (Jefferson), Holman, Weeks, Kilgore, Meeks, Yeilding, Crane, Cherner, Bank, Grainger and McLain:

H. 735. To amend Act No. 310 adopted at the 1967 Regular Session of the Legislature of Alabama, to provide that members of the Board of Directors of the Mental Health Authority need not be residents of the municipality which appoints them, but need only be residents of the area served by the Mental Health Authority.

Education.

By Mr. Graham (with notice and proof):

H. 736. To amend Act No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, in relation to the qualifications of the Judge of the court.

Local Legislation No. 1.

Notice and Proof H. 736:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 695, H. 923, Regular Session 1965, an act creating an inferior court for Franklin County in lieu of the county court, in relation to the qualifications of the Judge of the court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 (a) of said Act No. 695, Regular Session 1965, is hereby amended to read as follows:

"(a) The judge of the court shall be learned in the law and a resident citizen and qualified elector of Franklin County at the time of his appointment or election, and shall reside in the county during his continuance in office."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 4. This amendatory Act shall not affect proceedings that were commenced before its effective date.

STATE OF ALABAMA
FRANKLIN COUNTY

Before me a Notary Public, in and for said State and County, personally appeared Claude E. Sparks, publisher of the Franklin County Times, a newspaper published in said State and County, who being sworn according to law, deposes and says that the legal notice, copy of which is herewith attached, was duly published in the Franklin County Times for 4 consecutive weekly issues beginning with the issue of Feb. 8, 1968 and ending with the issue of Feb. 29, 1968.

CLAUDE E. SPARKS.

Subscribed and sworn to before me, this the 10 day of June 1969 at Russellville, Ala.

MAE G. STREIT,
Notary Public.

My commission expires 2-11-70.

By Mr. Fite:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

Local Legislation No. 1.

By Mr. Fite:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

Local Legislation No. 1.

By Mr. Fite:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

Local Legislation No. 1.

By Mr. Fite:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

Local Legislation No. 1.

By Mr. Fite:

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decenncial census and to limit such payment to $50.00 per month.

Local Legislation No. 1.

By Mr. Fite:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

Local Legislation No. 1.

By Mr. Fite:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

Local Legislation No. 1.

By Mr. Hill:

H. 744. To authorize the awarding of reasonable attorney's fees in domestic relations cases where a contempt of court citation is made.

Judiciary.

By Messrs. Ellis, Kilgore, Robertson and Hill:

H. 745. To prohibit the solicitation of contributions on the public streets, roads, and highways; and to prescribe penalties for the violation of this act.

Transportation.

By Mr. Hill:

H. 746. To provide further for appeals in cases in equity from circuit courts, courts of like jurisdiction and all other courts of record, which have court reporters and from which appeals lie directly to the Supreme Court or the Court of Appeals of Alabama; to prescribe the manner in which evidence shall be transcribed and made a part of the record, and for assignment of error on the record.

Judiciary.

By Mr. Hill:

H. 747. To amend Code of Alabama 1940, Title 13, Section 397 relative to the civil jurisdiction of the justices of the peace.

Judiciary.

By Mr. Hill:

H. 748. To propose an amendment to the Constitution of Alabama establishing a judicial department of the State of Alabama, and specifying and vesting the judicial power of the State of Alabama; to establish the jurisdiction of the Supreme Court of Alabama, the Court of Appeals of Alabama, the circuit courts of Alabama and a court of uniform limited jurisdiction to be known as a Magistrate's Court; to provide for the method of selection of justices and judges of the courts of Alabama and to establish their eligibility; to provide for the tenure of office of justices and judges and for the method of their retirement because of age or incapacity, as well as for their removal from office because of incapacity or misconduct; to provide the method of fixing the compensation of justices and judges of Alabama; to provide for an executive head of the Judicial System of Alabama charged with the prompt disposition of the judicial business of State Courts; and to repeal sections 139, 140, 142-149 inclusive, 151-161 inclusive, 168, 171 and 172 of the Constitution of Alabama of 1901.

Rules.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Waggoner, Kilgore, Weeks, Stubbs, Shumate, Starnes, Wood, Ellis and Hill:

H. 749. To prohibit the discharge of litter and sewage and certain other materials from a watercraft into the waters of this State; to prohibit discharge of untreated sewage from marine toilets; to require treatment of sewage discharged by marine toliets; to authorize the State Board of Health to adopt rules and regulations for discharge of sewage and litter from watercraft, including requirements for permits to restrict manufacturers of marine toilets and devices to comply with regulations; to authorize revocation of certification of watercraft after certain convictions; to require litter or trash receptacles for marinas; to provide for enforcement by the Board of Health and Department of Conservation; to prescribe the method of prosecution and penalties for violation of this Act and rules and regulations; to require fines to be paid into the General Fund and to provide for expenditures of funds for carrying out this Act from Federal Funds or other funds available to the Board of Health or state.

Conservation.

By Messrs. Jackson (T) and Watkins:

H. 750. To amend Code of Alabama 1940, Title 37, Section 427, which relates to filling vacancies in the office of aldermen, so as to provide for an election to fill such vacancy.

Constitution and Elections.

By Messrs. Jackson (T) and Watkins:

H. 751. To amend Act No. 427, H. 316, of the Regular Session of 1945 (General Acts, 1945 Regular Session, p. 670), which requires drivers of motor vehicles involved in accidents resulting in injury or death to any person or damage to property to stop at the scene of the accident, defines other duties for such drivers, and, among other things, provides for revocation of their drivers licenses upon conviction for violating such Act; amending such Act so as to limit the period for which such a driver may be prohibited from driving on the highways of this state.

Constitution and Elections.

By Messrs. Watkins, Weeks, Kilgore, Culver, Robertson, Holman, Jackson (T), Adwell, Sessions, Dill, Crane, Yeilding, Cherner, Dobbs, Owens (W. E.), Blanton, Smith, Harper, Snell, Steagall, Pearson, Brassell, Harris, McElhaney, Collins (W), Hardin, Mays, Brannan, Owen (Baldwin), Jackson (F), Foshee, Owens (W), Headley, Young, Lemley, Gafford, Meeks and Downing:

H. 752. To amend Act No. 652, Regular Session 1949 (Acts 1949, p. 1006) to prohibit more than one person riding on a motor-driven cycle.

Judiciary.

By Messrs. Shumate, Dobbs and Slate:

H. 753. Relating to motor vehicles; to make it unlawful to operate on any highway in this State certain motor vehicles which carry passengers, and which are propelled with diesel fuel, unless such motor vehicles are equipped with a device or contrivance which discharges the exhaust fumes or smoke from the engine at a point not less than eight feet above the surface of the highway; and to prescribe a penalty.

Transportation.

By Messrs. Gafford, Ellis, Bowers, Meeks, Grainger, Jones, Edington and Cherner:

H. 754. To amend Chapter 2 of Title 17 of the 1940 Code of Alabama, as Amended, to authorize the holding of a presidential preferential primary, to authorize the making of rules governing such preferential primary, and providing for the time for holding such preferential primary, the ballot to be used in such preferential primary and the payment of expenses of such preferential primary.

Constitution and Elections.

By Messrs. McDonald, Drake and Starnes:

H. 755. To make an appropriation from the state treasury to the use of the State Department of Education in matching funds provided by the Daughters of the American Revolution for capital outlay purposes at the Kate Duncan Smith School at Grant, Alabama.

Ways and Means.

By Messrs. Merrill, Burgess and Lybrand:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Local Legislation No. 1.

By Messrs. Bank, Brown, Culver and Robertson:

H. 757. To fix the compensation of the members of the county board of education in all counties having populations of not less than 100,000 nor more than 115,000.

Local Legislation No. 1.

By Messrs. Hobbie, Berryman (W) and Harris:

H. 758. Relating to civil remedies and procedures: To amend Code of Alabama 1940, Title 7, Section 22 in order to include actions on open accounts in the enumeration of actions which must be commenced within five years; and to repeal laws in conflict herewith.

Judiciary.

By Messrs. Hobbie, Berryman (W) and Harris:

H. 759. To propose an amendment to Section 168 of the Constitution of Alabama relative to the office of justice of the peace and inferior courts with the same jurisdiction as justices of the peace.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hobbie, Berryman (W) and Harris:

H. 760. Relating to the office of juctice of the peace; prescribing qualifications of justices of the peace, including notaries public ex officio justices of the peace, and to regulate further activities in which such officers may engage.

Judiciary.

By Messrs. Hobbie, Berryman (W) and Harris:

H. 761. Relating to justices of the peace; amending Code of Alabama 1940, Title 13, Sections 388, 389, 394, 397, 398, 399, 400, 403, 409, 416, 430, 443, 444, 455, 469, 470 and 495, Form 6 in order to increase the amount of justices' official bonds; to regulate further the jurisdiction of justices; to require justices each, to have an office at a fixed location and to devote their full time to the office; to regulate further the times and places for a justice to hold court; to conform certain provisions in such statutes, particularly with reference to jurisdiction of justices, with a proposed constitutional amendment relative to justices of the peace; and to provide that this Act shall become effective upon the ratification of such amendment.

Judiciary.

By Messrs. Hobbie, Berryman (W) and Harris:

H. 762. Relating to fees of justices of the peace; amending Code of Alabama 1940, Title 11, Sections 38 and 96, and Title 13, Sections 418, and 496, Forms 12 and 13, in order to prescribe different fees for justices of the peace in civil cases and certain other proceedings and to provide, in lieu of justices' fees in criminal cases, for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Judiciary.

By Messrs. Agee and McCorquodale:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

Local Legislation No. 1.

By Mr. Cherner:

H. 764. To further amend Section 8 of Title 42, Code of Alabama 1940, as amended, by providing for temporary leave from prison to a prisoner in the event of the death of his grandchild and to permit the Commissioner of Corrections to delegate the authority to grant temporary leave; to repeal all laws in conflict.

Health.

By Messrs. Bassett, Mays, Graham, Gloor, Adwell, Brannan, Cook (Jefferson), Money, Crane, Berryman (R), Crawford, Lemley, Brown, McElhaney, Headley, Springer, Cook (Coffee), Jackson (F), Watkins, House, Dill, Lybrand, Shumate, Cameron, Foshee, Dobbs, Culver, Harper, Brassell, Nettles, Burgess, Meade, Hobbie, Kilgore, Holman, Sessions, Yeilding, Gafford, Slate, Jackson (T), Weeks, Williams, Agee, Stembridge, Owen (Baldwin), Owens (W), Hardin, Wood, Higginbotham and Harris:

H. 765. To provide for the repair/or lease of heavy duty off-highway construction equipment including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds.

Judiciary.

By Messrs. Brassell, Turnham and Higginbotham:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

Local Legislation No. 1.

MOTION IN WRITING

Mr. Pennington offered the following Motion in Writing:

MOTION TO RECONSIDER

Having voted with the prevailing side on the motion to recommit by which H. B. 195 was recommitted to the House Rules Committee, on the last legislative day, I do hereby move that said motion be reconsidered and that H. B. 195 be replaced in its regular place on the House Calendar.

And the motion in writing was adopted.

Yeas 37; Nays 25.

Yeas:

Messrs.:	Grainger	Manley	Pruitt	
Bank	Grayson	McCorquodale	Sessions	
Berryman (R)	Harris	McDonald	Snell	
Brassell	Higginbotham	McLain	Steagall	
Collins (C)	Hill	Meeks	Tuck	
Cook (Coffee)	House	Money	Weeks	
Culver	Jones	Nettles	Wood	
Downing	Lybrand	Owens (W)	Wright	
Edington	Lyons	Pennington	Yeilding	
Foshee	Malone			—37

Nays:

Mr. Speaker	Ellis	Lemley	Robertson	
Bassett	Gafford	Marr	Shumate	
Bowers	Garrett	Mays	Springer	
Burgess	Graham	Melton	Starnes	
Crawford	Headley	Merrill	Stembridge	
Doss	Holman	Neville	Williams	
Drake				—25

The motion of Mr. Pennington to suspend the rules and bring up for immediate passage the bill, H. 195, was lost.

Yeas 32; Nays 23.

Yeas:

Messrs.:	Grainger	McCorquodale	Pearson	
Agee	Grayson	McDonald	Pennington	
Berryman (R)	Harris	McLain	Sessions	
Collins (C)	Hill	Meeks	Snell	
Collins (W)	House	Merrill	Tuck	
Cook (Coffee)	Jones	Money	Weeks	
Culver	Lybrand	Nettles	Wood	
Edington	Malone	Owens (W)	Wright	
Foshee				—32

Nays:

Mr. Speaker	Downing	Hobbie	Robertson	
Bassett	Drake	Lemley	Springer	
Brassell	Ellis	Marr	Stubbs	
Cherner	Gafford	Mays	Turnham	
Cook (Jefferson)	Graham	Melton	Young	
Doss	Headley	Neville		—23

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Tuesday, June 17, 1969, at 12 o'clock Noon, was lost.

Yeas 19; Nays 67.

Yeas:

Mr. Speaker	Brassell	Garrett	Money
Berryman (R)	Brown	Hain	Neville
Blanton	Crane	Headley	Shumate
Bowers	Dill	Holman	Weeks
Brannan	Drake	Kilgore	

—19

Nays:

Messrs.:	Edington	Lybrand	Slate
Adwell	Ellis	Lyons	Smith
Agee	Foshee	Malone	Snell
Bank	Gafford	Manley	Springer
Bassett	Gloor	Marr	Starnes
Berryman (W)	Graham	Mays	Steagall
Burgess	Grainger	McCorquodale	Stembridge
Cameron	Grayson	McLain	Stubbs
Cherner	Harris	Meeks	Tuck
Collins (C)	Haygood	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Nettles	Watkins
Cook (Jefferson)	Hobbie	Owens (W)	Williams
Crawford	House	Pearson	Wood
Culver	Jackson (T)	Perloff	Wright
Dobbs	Jones	Robertson	Yeilding
Downing	Lemley	Sessions	Young

—67

BILLS ON THIRD READING

And the bill:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Robertson
Bank	Downing	Kilgore	Sessions
Bassett	Drake	Lemley	Shumate
Berryman (R)	Edington	Lybrand	Slate
Berryman (W)	Foshee	Lyons	Springer
Blanton	Garrett	Malone	Starnes
Bowers	Gloor	Manley	Steagall
Brannan	Graham	Mays	Stembridge
Brassell	Grainger	McCorquodale	Stubbs
Brown	Grayson	McLain	Tuck
Burgess	Hain	Meeks	Waggoner
Cameron	Harper	Melton	Watkins
Cherner	Harris	Merrill	Weeks
Collier	Haygood	Nettles	Williams
Collins (W)	Headley	Neville	Wood
Cook (Jefferson)	Higginbotham	Owens (W)	Wright
Crane	Hill	Pearson	Yeilding
Culver	Hobbie	Perloff	Young
Dill	Holman	Pruitt	

—75

And the bill:

H. 610. Relating to counties having population of not less than 25,400 nor more than 26,000, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Was taken up.

Mr. McCorquodale offered the following amendment to the bill, H. 610:

Amend H. B. 610, in the Title and in Section 1, by striking the words "25,400 nor more than 26,000", and inserting in lieu thereof the words "25,400 nor more than 25,600".

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pruitt
Bank	Drake	Jones	Robertson
Bassett	Edington	Kilgore	Sessions
Berryman (R)	Foshee	Lemley	Shumate
Berryman (W)	Gafford	Lybrand	Slate
Blanton	Garrett	Lyons	Snell
Brannan	Gloor	Malone	Springer
Brassell	Graham	Manley	Starnes
Burgess	Grainger	Marr	Steagall
Cameron	Grayson	Mays	Stembridge
Cherner	Hain	McCorquodale	Stubbs
Collier	Hardin	McLain	Tuck
Collins (C)	Harper	Meeks	Turnham
Collins (W)	Harris	Melton	Waggoner
Crane	Haygood	Merrill	Watkins
Crawford	Headley	Nettles	Weeks
Culver	Higginbotham	Neville	Williams
Dill	Hill	Owens (W)	Wood
Dobbs	Hobbie	Pearson	Yeilding
Doss	Holman	Perloff	Young

—80

And the bill, H. 610, as thus amended:

H. 610. Relating to counties having population of not less than 25,400 nor more than 25,600, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crane	Edington
Bank	Brown	Crawford	Foshee
Bassett	Burgess	Culver	Gafford
Berryman (R)	Cameron	Dill	Garrett
Berryman (W)	Cherner	Dobbs	Gloor
Blanton	Collier	Doss	Graham
Bowers	Collins (C)	Downing	Grainger
Brannan	Collins (W)	Drake	Grayson

Hain	Kilgore	Nettles	Steagall
Hardin	Lemley	Neville	Stembridge
Harper	Lybrand	Owens (W)	Stubbs
Harris	Lyons	Pearson	Tuck
Haygood	Malone	Perloff	Turnham
Headley	Manley	Pruitt	Waggoner
Higginbotham	Marr	Robertson	Watkins
Hill	Mays	Sessions	Weeks
Hobbie	McCorquodale	Shumate	Williams
Holman	McLain	Slate	Wood
House	Meeks	Snell	Yeilding
Jackson (T)	Melton	Springer	Young
Jones	Merrill	Starnes	

—83

UNANIMOUS CONSENT GRANTED

On motion of Mr. Merrill, unanimous consent was granted for reporting out of Standing Committees the following bills:

BILLS ON SECOND READING

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 675. (with substitute). To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 676. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accomodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent

Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

H. 678. Proposing a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

The above bill was read a second time at length as required by the Constitution.

H. 679. To authorize the governing body of every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to adopt and enforce ordinances designed to promote the orderly and safe movement of pedestrian and vehicular traffic on the public highways and roads in areas of the county not situated within the boundaries of any municipality; to authorize any such governing body to adopt and enforce ordinances prescribing speeds at which it shall be lawful and speeds at which it shall be unlawful to operate vehicles on such public highways and roads; to authorize any such governing body to adopt and enforce ordinances providing for the installation or maintenance of traffic signs, traffic signals, traffic lines, traffic lanes and other devices designed to regulate and control vehicular and pedestrian traffic on such public highways and roads, to authorize any such governing body to adopt and enforce ordinances containing regulations and prohibitions regarding the parking of vehicles on such public highways and roads; to provide that no such governing body shall have the authority to adopt any ordinances applying within the corporate limits of any municipality and that no ordinance adopted under this Act shall have any effect or force within the corporate limits of any municipality; to provide that no such governing body shall have the power to pass any ordinance inconsistent with any law of the State or with any ordinance of any municipality applying within the police jurisdiction thereof; to provide that if there is any such conflict, the State law or the municipal ordinance shall prevail over the ordinance adopted by the governing body of the county, insofar as there is any such conflict; to provide for the procedure by which the governing body shall adopt an ordinance under this Act; to provide that no ordinance adopted under this Act shall take effect until it has been published in a newspaper of general circulation in the County; to provide that all courts of the State shall take judicial notice of all ordinances adopted under this Act; to provide that the violation of any ordinance adopted under this Act shall constitute a misdemeanor and to provide the punishment to be imposed upon one convicted of any such violation; to provide that the fees and costs of court in cases involving the violation of any such ordinance shall be the same as the laws prescribed generally for misdemeanors in that court wherein the cases involving such violation arises; to repeal all laws or parts of laws in conflict with this Act to the extent of such conflict; and to provide when this Act shall become effective.

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board

of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of/300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any country wide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

H. 695. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County and making a change in the purposes for which may be levied and distributed the special tax authorized by the amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended.

The above bill was read a second time at length as required by the Constitution.

H. 697. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding $3,000,000 in principal amount for certain public buildings in the said county, to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to the said constitution, as amended, providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of the said county contained in Section 224 of the said constitution, and specifying certain details pertaining to the said bonds and the sale thereof.

The above bill was read a second time at length as required by the Constitution.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

H. 270. Relating to certain schools or courses of instruction publicized, sold, offered for sale or administered to residents of this State; prescribing certain requirements relative to the solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the state board of education; authorizing the state board of education to adopt rules and regulations for the administration and enforcement of this act and to establish and advisory committee to assist in its functions; providing for appeals from decisions of the board; and providing penalties for violations.

H. 526. To authorize county or city boards of education to grant certain leaves to teachers.

H. 274. To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

H. 386. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

H. 464. To prohibit the possession of firearms on the property of any private or public school, vocational or trade school or institution of higher learning without a permit from school authorities.

H. 463. Relating to disruptive activity on the campus or property of private or public schools, vocational or trade schools, and institutions of higher learning; and prescribing certain penalties for violations.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar to-wit:

H. 669. (with substitute). Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 681. Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

H. 691. To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

H. 692. Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

H. 693. Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

The above bill was read a second time at length as required by the Constitution.

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 334. (with substitute). To prohibit the sale and planting of Crotalaria; providing penalties for violations.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar to-wit:

H. 336. Relating to the purchase of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street, road or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

H. 510. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy districts and water management districts.

H. 511. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 621 (with amendment). To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

H. 622 (with amendment). To make appropriations from the State Treasury for Capital improvements.

H. 281 (with amendment). To further provide for and raise revenue the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the State Treasury.

H. 282 (with amendment). To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

H. 283 (with amendment). To raise revenue by levying a privilege or excise tax, in addition to all taxes and licenses now imposed by law, on every person licensed under the provisions of Title 29 of the Code of Alabama (1940), as amended, who sells, stores, or receives for the purpose of distribution, malt or brewed beverages; to provide for the collection and distribution of the proceeds of said tax.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 15. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 79 (with amendment). To require the Chief Examiner of Public Accounts, with the consent of the Legislative Committee on Public Accounts, to appoint independent auditors under certain conditions; to provide for the performance of such audits and the effect thereof; and to provide for payment of such audits and an appropriation for such payments for the biennium ending September 30, 1969 and the biennium ending September 30, 1971.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 78. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

H. 87. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 90 (with substitute). To amend Section 3 of Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1603) an act to create the Alabama Space Science Exhibit Commission so as to exempt certain employees of the commission from the provisions of the state merit system act; to provide that such employees shall be eligible to participate in the state's health insurance plan and benefits for state employees and in the state employees' retirement system.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 117. To make a supplemental appropriation to the Alabama Historical Commission.

H. 119. To amend Section 254 of Title 13 of the Code of Alabama of 1940 which relates to the appointment and compensation of Deputy Solicitors or Deputy District Attorneys of the Thirteenth Judicial Circuit.

H. 166. To create an Alabama Recreation Commission; to provide for the members of the Commission, their appointments, qualifications, and term of office; to provide for the powers and duties of the Commission; to provide for the powers and duties of the Executive Director; to define the terms used in this Act; and to appropriate funds.

H. 211. To provide for the renovation, remodeling, and equipment of certain space in the Capitol building for the use of the members of the House of Representatives and House committees, making an appropriation for such purpose.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 92 (with substitute). To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

H. 225. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 422 (with amendment). To authorize and provide for the payment out of the general fund in the state treasury of a gratuity to the next of kin of certain persons who have died or who hereafter die while in the active service of the Armed Forces of the United States during a prescribed period when the United States was, is or shall be engaged in hostilities with a foreign state, whether as a result of a declared war or not; and to provide for the administration of this act by the state department of veterans' affairs.

H. 424 (with amendment). To provide for and regulate the payment from the general fund in the state treasury of a bonus to certain prisoners of war who were captured while serving within a prescribed period in the Armed Forces when the United States was, is or shall be engaged in hostilities with any foreign state, whether as a result of a declared war or not; and to provide for the administration of this act by the State Department of Veterans' Affairs.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 438. To appropriate the sum of Five Thousand Dollars ($5,000-.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

H. 248. To purpose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $5,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

The above bill was read a second time at length as required by the Constitution.

H. 247. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in .....adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable

streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $5,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $5,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1956 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

The above bill was read a second time at length as required by the Constitution.

H. 260. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

H. 280. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving

the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

H. 226. To fix the salary of the Attorney General.

H. 238. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

H. 240. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of livestock and poultry from the State sales and use tax.

H. 290. To purpose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

The above bill was read a second time at length as required by the Constitution.

H. 289. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any

such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 296 (with amendment). To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 408. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the educaton of nurses; and making appropriations therefor.

H. 409. To amend Sections 1, 2, 3 and 4 of Act #590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

H. 410. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making an appropriation therefor.

H. 411. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education; and making an appropriation therefor.

H. 412. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615), to contract for and to provide technical assistance and consultant services to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

H. 385. To exempt plants and herbicides from local sales and use taxes in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, in which such local taxes are levied.

H. 341. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

H. 368. Relating to taxation, making further exemptions from State sales and use taxes.

H. 413. Relating to state employment; providing for payment of certain expenses of job transference.

H. 360. To make an appropriation to the Governor's Office for the purpose of paying a contribution to the National Governors Conference.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 414 (with substitute). To amend the Code of Alabama, 1940, Title 51, Section 611 in relation to the license tax payable on motor vehicles.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 429. To amend further Code of Alabama 1940, Title 51, Section 460, as amended, to allow attorneys who enter military service to apply the license exemption period to the time they are actually in private practice.

H. 418. To make a conditional appropriation from the Alabama special educational trust fund in the state treasury to the use of the Alabama Education Television Commission.

H. 420. To make an appropriation to the Governor's office for the payment of legal fees in connection with legal actions filed or to be filed against the State Board of Education, local boards of education or superintendents of education.

H. 440. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

H. 441. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

H. 452. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.'"

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 459 (with substitute). Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public building or construction contracts.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 462. To authorize local boards of education to fix and collect tuition fees and charges from pupils attending schools under the jurisdiction of such boards, but who live outside the territory over which such boards of education have jurisdiction.

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations: provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act. of 1958; provide for the payment of annual occupational license tax; provide an effective date.

H. 297. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

H. 518. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

H. 519. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Em-

ployees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

H. 537. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

H. 538. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 539 (with amendment). To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 564. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

H. 569. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

H. 614. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags.

H. 616. To make further provisions regarding the licensing of trucks and truck-tractors to allow proper credit and the quarterly declining basis under stated circumstances where a higher license than that previously issued is required for any fiscal or license year by change in gross vehicle weight allowance or in the use of the vehicle, to provide penalties for improper licensing, and to repeal all laws or parts of laws in conflict herewith.

H. 617. To amend Code of Alabama, 1940, Title 51, Section 348, relating to the limitation of deductions to "capital employed" for franchise tax purposes.

H. 618. To amend Section 13, Act No. 100, Second Special Session, Legislature 1959, which relates to the sales tax so as to combine notice of failure to make return and notice of assessment of the tax and to reduce the penalty provided for failure to make return from twenty-five percent to fifteen percent of the tax.

H. 629. To make an appropriation to the University of Alabama for the purchase of law library books in support of the Alabama Law Institute.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 635 (with amendment). To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts, 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinics operated by governing boards of instrumentalities of the State, counties and municipalities.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 668. To make a supplemental appropriation to the Alabama Historical Commission for the purchase of land at Old St. Stephens in Washington County.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 355 (with amendment). To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 12. To amend further Code of Alabama 1940, Title 46, Section 29, which prescribes fees to be paid by applicants for admission to the state bar, in order to authorize the board of commissioners of the state bar to fix and prescribe such fees.

H. 74. To authorize and empower any state trooper or other law enforcement officer to remove a domestic animal from a highway right of way by use of a tranquilizer or similar drug.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 103 (with amendment). To amend Section 156, Title 41, Code of Alabama 1940.

H. 104 (with amendment). To amend Section 13 of Title 37, Code of Alabama 1940.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 106. To permit persons, firms, corporations, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

H. 143. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of Bonds, Certificates of Indebtedness and Time Warrants which mature more than one year from their respective dates, issued by counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

H. 146. To amend Sections 1 and 3 of Act 859 enacted at the 1953 Regular Session of the Legislature of Alabama, which Act relates to the validation prior to their issuance of bonds, warrants, certificates of indebtedness and notes of public corporations and public bodies.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 312 (with amendment). To amend Title 55, Section 84, Code of Alabama 1940.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 351. To require a bill of sale in the transfer, sale or gift of a dog.

H. 522. To repeal Section 3 of Title 30, Code of Alabama 1940, as amended, which exempts certain persons from jury duty.

H. 525. To prescribe a rule to apply in the circuit courts and courts of full like jurisdiction in all suits of a civil nature, at law or in equity, when a jury trial is not demanded and a plea in abatement based on improper venue has been filed.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 542 (with amendment). To amend Section 1 of Act 19 of the 1969 Special Session of the Legislature.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 575. To provide for equal and uniform assesment of motor vehicles by amending Section 704, Title 51, Code of Alabama 1940, as amended by Act No. 660, Regular Session 1961, approved September 6, 1961, by adding thereto provisions requiring the Department of Revenue to adopt and distribute a uniform schedule of assessment values to be used in the collection of ad valorem taxes on motor vehicles, including house trailers, requiring assessing officers to use such schedule, and providing remedies for failure to comply with this act.

H. 577. In order to provide to the Department of Revenue a means of apprehending persons evading the tax on tobacco products levied by Section 718 of Title 51, Code of Alabama 1940, and acts supplemental thereto, payments of rewards are authorized for information leading to the apprehension of persons evading the tax or for information leading to confiscation of contraband tobacco products.

H. 578. To amend Article 9 of Chapter 20 of Title 51, Code of Alabama 1940, Recompiled 1958, commonly referred to as the Alabama Tobacco Tax Laws, and particularly Section 724, 730 and 731 of Title 51, supra, to extend the provisions of said sections in order that the tobacco tax laws of this state can be better administered and enforced as against distributing agents, carriers, warehousemen and others.

H. 579. To amend Section 416, Title 51, Code of Alabama, 1940, which relates to assessment of income tax against those failing to make return and remit the amount due and penalties for such failure.

H. 583. To further regulate domestic stock insurance companies in respect to merger, consolidation and certain exchanges of stock and, in furtherance thereof, to provide for approval by the Superintendent of Insurance after public hearing, and to provide rights for dissenting shareholders in connection therewith.

H. 584. To amend Section 4 of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 514), known and cited as the "Regional Vocational and Trade Schools Act," by providing for and regulating certain paid leaves of absence for members of the faculty of such schools, caused by sickness.

H. 592. To provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases.

H. 632. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 276. To provide further for the collection of unpaid wages; authorizing the director of labor to take assignments in trust of certain wage claims and thereafter to settle, adjust and collect such claims, through suits at law, if necessary; to provide for and regulate such suits; to forbid an employer's exempting himself, by contract, from this Act.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 8. Relating to voters and voting; making it unnecessary for certain absentee voters to make new applications to vote in certain run-off primary elections; prescribing additional duties for officers or persons who handle absentee voting.

Mr. Sessions, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 44. To Regulate The Establishment And Operation Of Separate Accounts By Life Insurance Companies Incorporated Under The Laws Of This State In Connection With Certain Individual And Group Contracts Provding Benefits Payable In Fixed Or In Variable Dollar Amounts, Or In Both.

MOTION TO BRING UP H. 272 GRANTED

On motion of Mr. Marr, the rules were suspended and permission granted to bring up H. 272 out of order.

Yeas 62; Nays 10.

Yeas:

Mr. Speaker	Dobbs	Holman	Robertson	
Berryman (R)	Doss	Jones	Sessions	
Berryman (W)	Downing	Lybrand	Shumate	
Blanton	Edington	Manley	Slate	
Brannan	Ellis	Marr	Springer	
Brassell	Foshee	Mays	Starnes	
Brown	Gafford	McLain	Stembridge	
Burgess	Gloor	Meeks	Stubbs	
Collier	Grainger	Merrill	Tuck	
Collins (C)	Grayson	Money	Turnham	
Collins (W)	Hain	Nettles	Waggoner	
Cook (Jefferson)	Harper	Owens (W)	Wood	
Crane	Haygood	Pearson	Wright	
Crawford	Headley	Perloff	Yeilding	
Culver	Higginbotham	Pruitt	Young	
Dill	Hill			—62

Nays:

Messrs.:	Graham	Lyons	Melton	
Bassett	Hardin	Malone	Neville	
Garrett	Harris	McDonald		—10

And the bill:

H. 272. To amend Code of Alabama 1940, Title 3 A, Section 2-314, in relation to implied warranties.

Was taken up.

Mr. Dill offered the following amendment to the bill, H. 272:

Amend House Bill 272 by striking from the title thereof "3A" and inserting in lieu thereof "7A" and Striking from Section 1 "3A" and inserting "7A".

And the amendment was adopted.

Yeas 71; Nay 1.

Yeas:

Mr. Speaker	Doss	House	Pearson
Agee	Downing	Jones	Perloff
Bassett	Edington	Lemley	Pruitt
Berryman (R)	Ellis	Lybrand	Sessions
Berryman (W)	Foshee	Malone	Shumate
Blanton	Gafford	Manley	Slate
Brannan	Gloor	Marr	Springer
Brassell	Graham	Mays	Starnes
Burgess	Grainger	McCorquodale	Stembridge
Collier	Grayson	McDonald	Stubbs
Collins (C)	Hain	McLain	Tuck
Collins (W)	Hardin	Meeks	Turnham
Cook (Jefferson)	Harper	Melton	Williams
Crane	Haygood	Merrill	Wood
Crawford	Headley	Money	Wright
Culver	Higginbotham	Nettles	Yeilding
Dill	Hill	Neville	Young
Dobbs	Holman	Owens (W)	—71

Nay: Mr. Brown —1

And the bill, H. 272, as thus amended:

H. 272. To amend Code of Alabama 1940, Title 7A, Section 2-314, in relation to implied warranties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 5.

Yeas:

Mr. Speaker	Dill	Holman	Pearson
Agee	Dobbs	House	Perloff
Bassett	Doss	Jones	Pruitt
Berryman (R)	Downing	Lemley	Sessions
Berryman (W)	Edington	Lybrand	Shumate
Blanton	Ellis	Malone	Slate
Brannan	Foshee	Manley	Starnes
Brassell	Graham	Marr	Stembridge
Burgess	Grainger	Mays	Stubbs
Cherner	Grayson	McCorquodale	Tuck
Collier	Hain	McDonald	Turnham
Collins (C)	Hardin	McLain	Waggoner
Collins (W)	Harper	Meeks	Williams
Cook (Coffee)	Haygood	Merrill	Wood
Cook (Jefferson)	Headley	Money	Wright
Crane	Higginbotham	Nettles	Yeilding
Crawford	Hill	Owens (W)	Young
Culver			—69

Nays:

Messrs.:	Jackson (T)	Melton	Neville
Garrett	Lyons		—5

RESOLUTIONS

The following resolutions were offered:

By Messrs. Springer, Harris, Cameron, Hobbie and McElhaney.

H. J. R. 41. WHEREAS, The retirement of Miss Agnes Brindley on July 1, 1969, as Administrative Assistant to the State Superintendent of Education marks the culmination of almost 40 years of faithful service as a state employee, and

WHEREAS, Miss Brindley has rendered faithful service through the terms of eleven superintendents, performing her duties expertly and dealing with the public in a most agreeable, courteous, calm, and friendly manner, and

WHEREAS, Miss Brindley has been a guiding hand and a stabilizing influence through years of phenomenal growth within the State Department of Education, and

WHEREAS, All students in the public schools and colleges in Alabama during these years have been beneficiaries of Miss Brindley's faithful services, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREFORE CONCURRING, That this Body wishes to express its deepest appreciation for Miss Brindley's faithful service to the State of Alabama and for her outstanding contributions to the education of its citizens, and further wishes for her many happy years of retirement which she has so well earned.

On motion of Mr. Springer, the rules were suspended and H. J. R. 41 was adopted.

Also:

By Messrs. Mathews and Lybrand:

H. J. R. 42. WHEREAS the Honorable Hugh Davis Merrill, prominent attorney of Anniston, who so ably serves his state and area in the Legislature of Alabama in which he has been a highly regarded member for the past ten years, and where he consistently champions the cause of education in its every phase; and

WHEREAS Mr. Merrill has worked long and diligently in gaining support for Jacksonville State University by use of his persuasive talents and legislative abilities which are immeasurably effective. His many contributions to every area of the development and growth of this institution have helped to make it the fine university which it is today and to bring to it the recognition which it so richly deserves; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Business Administration Building at Jacksonville State University be named and known as the Hugh Merrill Hall in grateful appreciation of the many contributions of Representative Merrill to this institution.

On motion of Mr. Mathews, the rules were suspended and H. J. R. 42 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 24. Mourning the death of Judge James A. Hare of Selma, Alabama.

Also:

H. J. R. 25. Commending Robert Joseph Protivinsky for his gallantry and courage in rescuing five persons off Dauphin Island.

Also:

H. J. R. 26. Inviting the Honorable Lister Hill to speak to a joint meeting of the Legislature.

Also:

H. J. R. 27. Commending Colonel Thomas P. Stafford, Commander John W. Young and Commander Eugene A. Cernan for their bravery, dedication and skill in the successful flight of Apollo 10.

Also:

H. J. R. 28. Saluting Judge John David Snodgrass upon receipt of the 1969 Good Government Award of the Huntsville Junior Chamber of Commerce.

Also:

H. J. R. 29. Paying tribute to the Honorable Newman M. Yielding upon receiving the honorable degree of Doctor of Laws from Birmingham Southern College.

Also:

H. J. R. 33. Expressing regret upon the death of Mr. Frank C. Drane and extending sympathy to members of his family.

Also:

H. J. R. 34. Expressing regret upon the death of Mr. Claude Taylor, Jr., of Tuscaloosa.

Also:

H. J. R. 35. Expressing regret upon the death of Mr. Charles Davis, Sr., of Tuscaloosa.

Also:

H. J. R. 20. Congratulating the League of Women Voters upon the 50th Anniversary of its founding.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced.

By Mr. Neville:

H. J. R. 43. WHEREAS Mrs. Ann Davis of Eufaula, Alabama rescued three small Negro boys from drowning, when she jumped into eight feet of water on May 20, 1969 to pull them to safety; and

WHEREAS Mrs. Davis who was formerly a life guard and is currently employed as a waitress, is the mother of four small children and is expecting another. She completely disregarded her own personal safety in order to save these small boys who but for her quick thinking and fast action most likely would have drowned before others came to aid her; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend Mrs. Davis for her heroic actions, for her aquatic skill and for her selfless devotion to the cause of humanity without concern for herself. We assure her of our highest admiration and extend to her all best wishes for her continued good health and happiness and for that of her family.

RESOLVED FURTHER, That copies of this resolution be sent to Mrs. Davis, to the Associated Press and to the United Press International.

On motion of Mr. Neville, the rules were suspended and H. J. R. 43 was adopted.

MOTION TO BRING UP H. 590 ADOPTED

On motion of Mr. Shumate, the rules were suspended and permission granted to bring up H. 590.

And the bill:

H. 590 (with amendment). To amend further Title 8, Section 86, Code of Alabama 1940, as amended, in relation to the hunting of raccoon.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Conservation, said Committee amendment being as follows:

Amend Section 1, "Section 86" of House Bill #590 by inserting therein after the words "except ammunition for a .22 caliber rifle" in the third sentence the following words, "using shorts only".

And the amendment was adopted.

Yeas 65; Nays 1.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Neville
Agee	Ellis	Jones	Owens (W)
Bassett	Foshee	Kilgore	Pearson
Berryman (R)	Gafford	Lemley	Perloff
Blanton	Garrett	Lybrand	Sessions
Bowers	Grainger	Lyons	Shumate
Brannan	Grayson	Malone	Slate
Brassell	Hain	Marr	Springer
Burgess	Hardin	Mays	Starnes
Collier	Harper	McCorquodale	Stembridge
Collins (C)	Harris	McDonald	Stubbs
Crawford	Haygood	McLain	Tuck
Dill	Headley	Meeks	Weeks
Dobbs	Higginbotham	Melton	Williams
Doss	Hill	Money	Wood
Downing	Holman	Nettles	Young
Drake			—65

Nay: Mr. Graham —1

And the bill, H. 590, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 2.

Yeas:

Mr. Speaker	Downing	Hill	Neville
Agee	Drake	Holman	Owens (W)
Bassett	Edington	Jackson (T)	Perloff
Berryman (R)	Ellis	Jones	Robertson
Blanton	Foshee	Lemley	Sessions
Bowers	Gafford	Lybrand	Shumate
Brannan	Garrett	Lyons	Springer
Brassell	Grainger	Malone	Starnes
Burgess	Grayson	Marr	Stembridge
Collier	Hain	Mays	Stubbs
Collins (C)	Hardin	McCorquodale	Tuck
Collins (W)	Harper	McDonald	Weeks
Crawford	Harris	McLain	Williams
Dill	Haygood	Meeks	Wood
Dobbs	Headley	Melton	Young
Doss	Higginbotham	Nettles	—63

Nays: Messrs. Gloor and Graham —2

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Tuesday, June 17, 1969, at 12 o'clock Noon, was lost.

Yeas 32; Nays 50.

Yeas:

Mr. Speaker	Crawford	Hardin	Merrill
Bassett	Dill	Harper	Money
Berryman (R)	Doss	Headley	Neville
Blanton	Drake	Holman	Shumate
Bowers	Foshee	Mathews	Snell
Brannan	Gafford	Mays	Starnes
Brassell	Garrett	McDonald	Tuck
Crane	Hain	Melton	Weeks
			—32

Nays:

Messrs.:	Gloor	Lyons	Sessions
Agee	Graham	Malone	Slate
Bank	Grainger	Manley	Smith
Burgess	Grayson	Marr	Springer
Cherner	Harris	McCorquodale	Steagall
Collins (C)	Haygood	McLain	Stembridge
Collins (W)	Higginbotham	Meeks	Stubbs
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	House	Owens (W)	Wood
Dobbs	Jackson (T)	Pearson	Wright
Downing	Jones	Perloff	Yeilding
Edington	Lemley	Pruitt	Young
Ellis	Lybrand	Robertson	—50

BILLS ON THIRD READING RESUMED

And the bill:

H. 659. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabitants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Four Thousand Two Hundred and No/100 (4,200.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and No/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nay 1.

Yeas:

Mr. Speaker	Doss	House	Pruitt
Agee	Downing	Jackson (T)	Robertson
Bassett	Drake	Jones	Sessions
Berryman (R)	Edington	Lemley	Shumate
Berryman (W)	Ellis	Lybrand	Slate
Blanton	Foshee	Lyons	Smith
Bowers	Gafford	Malone	Snell
Brannan	Garrett	Manley	Springer
Brassell	Gloor	Mays	Starnes
Brown	Graham	McCorquodale	Steagall
Burgess	Grainger	McLain	Stembridge
Cameron	Grayson	Meeks	Stubbs
Cherner	Hain	Melton	Tuck
Collier	Hardin	Merrill	Waggoner
Collins (C)	Harper	Money	Weeks
Collins (W)	Harris	Nettles	Williams
Cook (Coffee)	Haygood	Neville	Wood
Cook (Jefferson)	Headley	Owens (W)	Wright
Crane	Higginbotham	Pearson	Yeilding
Crawford	Hill	Perloff	Young
Dobbs	Holman		—82

Nay: Mr. Marr —1

MOTION TO RECONSIDER H. 590

Mr. Young, having voted with the prevailing side, moved to reconsider the vote by which H. 590 passed.

The motion of Mr. Shumate to table the motion of Mr. Young to reconsider was lost.

Yeas 16; Nays 40.

Yeas:

Messrs.:	Edington	McCorquodale	Shumate
Agee	Gafford	McLain	Springer
Dobbs	Haygood	Meeks	Stubbs
Downing	Malone	Perloff	Weeks
Drake			—16

Nays:

Messrs.:	Doss	Headley	Neville
Berryman (W)	Ellis	Hill	Owens (W)
Blanton	Foshee	House	Pearson
Bowers	Garrett	Jackson (T)	Robertson
Brannan	Gloor	Jones	Sessions
Brassell	Graham	Lemley	Slate
Collier	Grainger	Lyons	Snell
Collins (W)	Hain	Marr	Steagall
Cook (Jefferson)	Harper	Melton	Stembridge
Crane	Harris	Nettles	Yeilding
Dill			—40

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until Tuesday, June 17, 1969, at 2 o'clock P. M., was lost.

Yeas 35; Nays 52.

Yeas:

Mr. Speaker	Crawford	Holman	Pruitt
Bassett	Dill	Jackson (T)	Shumate
Berryman (R)	Dobbs	Manley	Slate
Bowers	Doss	Mathews	Starnes
Brannan	Drake	Mays	Stubbs
Brassell	Garrett	McDonald	Tuck
Collier	Hardin	Melton	Weeks
Cook (Coffee)	Haygood	Merrill	Williams
Crane	Headley	Neville	—35

Nays:

Messrs.:	Edington	House	Pennington
Adwell	Ellis	Jones	Perloff
Agee	Foshee	Lemley	Robertson
Bank	Gloor	Lybrand	Sessions
Berryman (W)	Graham	Lyons	Smith
Blanton	Grainger	Malone	Snell
Burgess	Grayson	Marr	Springer
Cameron	Hain	McCorquodale	Steagall
Cherner	Harper	McLain	Stembridge
Collins (C)	Harris	Meeks	Wood
Collins (W)	Higginbotham	Money	Wright
Cook (Jefferson)	Hill	Nettles	Yeilding
Culver	Hobbie	Owens (W)	Young
Downing			—52

H. 590 CONTINUED

The motion of Mr. Young to reconsider the vote by which H. 590 passed was adopted.

Yeas 28; Nays 25.

Yeas:

Messrs.:	Ellis	Harris	Melton	
Bank	Garrett	Hill	Owens (W)	
Cherner	Gloor	Hobbie	Slate	
Collier	Graham	House	Snell	
Collins (W)	Grainger	Jones	Springer	
Cook (Jefferson)	Grayson	Mays	Weeks	
Culver	Harper	McDonald	Young	
Doss				—28

Nays:

Messrs.:	Foshee	Malone	Robertson	
Agee	Gafford	McCorquodale	Sessions	
Brannan	Hain	Meeks	Shumate	
Dobbs	Haygood	Money	Steagall	
Downing	Headley	Nettles	Stubbs	
Drake	Lemley	Perloff	Turnham	
Edington	Lyons	Pruitt		—25

MOTION TO CARRY OVER

On motion of Mr. Young, the bill, H. 590, was carried over to the Twelfth Legislative Day.

Yeas 51; Nays 26.

Yeas:

Mr. Speaker	Dill	Hill	Smith	
Bank	Doss	Hobbie	Snell	
Bassett	Ellis	House	Springer	
Berryman (R)	Gafford	Jackson (T)	Starnes	
Berryman (W)	Gloor	Jones	Stembridge	
Bowers	Graham	Marr	Turnham	
Brassell	Grainger	Mathews	Waggoner	
Cherner	Grayson	Mays	Weeks	
Collier	Hardin	McDonald	Williams	
Collins (W)	Harper	Melton	Wright	
Cook (Jefferson)	Harris	Merrill	Yeilding	
Crane	Headley	Neville	Young	
Crawford	Higginbotham	Owens (W)		—51

Nays:

Messrs.:	Foshee	Manley	Robertson	
Agee	Garrett	McCorquodale	Sessions	
Brannan	Hain	Meeks	Shumate	
Culver	Haygood	Money	Steagall	
Dobbs	Lemley	Nettles	Stubbs	
Downing	Lyons	Perloff	Tuck	
Edington	Malone	Pruitt		—26

MOTION TO BRING UP H. 197

On motion of Mr. Dill, the rules were suspended and permission granted to bring up H. 197 out of order.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Perloff
Adwell	Doss	Holman	Pruitt
Agee	Downing	Jackson (T)	Robertson
Bank	Drake	Jones	Sessions
Bassett	Ellis	Lemley	Shumate
Berryman (R)	Foshee	Lybrand	Slate
Berryman (W)	Gafford	Lyons	Smith
Bowers	Garrett	Malone	Snell
Brannan	Gloor	Manley	Springer
Cameron	Graham	Marr	Starnes
Cherner	Grainger	Mays	Stembridge
Collier	Hain	McLain	Stubbs
Collins (W)	Hardin	Meeks	Tuck
Cook (Coffee)	Harper	Melton	Waggoner
Cook (Jefferson)	Harris	Merrill	Watkins
Crane	Haygood	Money	Weeks
Crawford	Headley	Nettles	Williams
Culver	Higginbotham	Neville	Young
Dill	Hill	Owens (W)	

—75

And the bill:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

Was taken up.

Mr. Dill offered the following amendment to the bill, H. 197:

Section 1 of House Bill 197 is amended by deleting the words "instead of the" and inserting in lieu thereof the following, "and".

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Pruitt
Adwell	Dobbs	Jackson (T)	Robertson
Agee	Doss	Jones	Sessions
Bank	Downing	Lemley	Shumate
Bassett	Drake	Lybrand	Slate
Berryman (R)	Ellis	Lyons	Smith
Berryman (W)	Gafford	Malone	Snell
Bowers	Garrett	Manley	Springer
Brannan	Gloor	Marr	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Cameron	Hain	McLain	Stubbs
Cherner	Hardin	Meeks	Tuck
Collier	Harper	Melton	Waggoner
Collins (C)	Harris	Merrill	Watkins
Collins (W)	Haygood	Money	Weeks
Cook (Coffee)	Headley	Nettles	Williams
Crane	Higginbotham	Neville	Yeilding
Crawford	Hill	Pearson	Young
Culver	Hobbie	Perloff	

—79

And the bill, H. 197, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Perloff
Adwell	Dobbs	Jones	Pruitt
Agee	Downing	Lemley	Robertson
Bank	Drake	Lybrand	Sessions
Bassett	Ellis	Lyons	Shumate
Berryman (R)	Foshee	Malone	Slate
Berryman (W)	Gafford	Manley	Snell
Bowers	Garrett	Marr	Springer
Brannan	Gloor	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Brown	Grainger	McLain	Stembridge
Cameron	Hain	Meeks	Stubbs
Cherner	Harper	Melton	Tuck
Collier	Harris	Merrill	Turnham
Collins (C)	Haygood	Money	Waggoner
Collins (W)	Headley	Nettles	Weeks
Cook (Coffee)	Higginbotham	Neville	Williams
Crane	Hill	Owens (W)	Yeilding
Crawford	Hobbie	Pearson	Young
Culver	Holman	Pennington	—79

MOTION TO BRING UP H. 81

On motion of Mr. Yeilding, the rules were suspended and permission granted to bring up H. 81 out of order.

Yeas 82; Nay 1.

Yeas:

Mr. Speaker	Culver	Hobbie	Owens (W)
Adwell	Dill	Holman	Pearson
Agee	Dobbs	House	Perloff
Bank	Doss	Jackson (T)	Pruitt
Bassett	Downing	Jones	Robertson
Berryman (R)	Drake	Lemley	Slate
Berryman (W)	Ellis	Lybrand	Smith
Blanton	Foshee	Lyons	Snell
Bowers	Gafford	Manley	Starnes
Brannan	Garrett	Marr	Steagall
Brassell	Gloor	Mays	Stembridge
Brown	Graham	McCorquodale	Stubbs
Cameron	Grainger	McDonald	Tuck
Cherner	Hain	McLain	Turnham
Collier	Hardin	Meeks	Waggoner
Collins (C)	Harper	Melton	Watkins
Collins (W)	Harris	Merrill	Weeks
Cook (Coffee)	Haygood	Money	Williams
Cook (Jefferson)	Headley	Nettles	Yeilding
Crane	Higginbotham	Neville	Young
Crawford	Hill		—82

Nay: Mr. Sessions —1

And the bill:

H. 81 (with substitute). To authorize teachers who have retired under the terms of the Teacher Retirement Act of Alabama, when they are physically and mentally able to do so, to perform duties as substitute teachers in the public elementary and high schools; and to prescribe the maximum amount such teachers may earn as substitute teachers without affecting their status under said act.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Education, said Committee substitute being as follows:

To authorize and permit teachers, who have retired under the Teachers' Retirement Act, to perform duties as substitute teachers in the public, elementary and high schools, when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor, and to repeal Act #1038 of the 1961 Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby declared to be lawful and permissible for any teacher, who has retired under the Teachers' Retirement Act of Alabama, to perform duties as a substitute teacher in the public, elementary and high schools, provided that such retired teacher is physically and mentally able to do so, in the opinion of the employing authority, and earn not more than Sixteen Hundred and Eighty dollars per year or as much as the base allowed under the Federal Social Security law as set from year to year, without affecting his or her status under the Teachers' Retirement Act.

Section 2. Such retired teacher shall continue to receive all retirement benefits that such retired teacher would receive if he or she were not serving as a substitute teacher in the public elementary and high schools.

Section 3. Act #1038 of the 1961 Legislature and all laws and parts of laws in conflict with this Act, in so far as the same conflicts with this Act are hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Hill	Neville
Adwell	Dill	Hobbie	Owens (W)
Agee	Dobbs	Holman	Pearson
Bank	Doss	House	Pennington
Bassett	Downing	Jackson (T)	Perloff
Berryman (R)	Drake	Jones	Pruitt
Berryman (W)	Ellis	Lemley	Robertson
Blanton	Foshee	Lybrand	Slate
Bowers	Gafford	Lyons	Smith
Brannan	Garrett	Malone	Snell
Brassell	Gloor	Manley	Steagall
Brown	Graham	Marr	Stembridge
Cameron	Grainger	Mays	Stubbs
Cherner	Grayson	McCorquodale	Tuck
Collier	Hain	McDonald	Turnham
Collins (C)	Hardin	McLain	Waggoner
Collins (W)	Harper	Meeks	Watkins
Cook (Coffee)	Harris	Melton	Weeks
Cook (Jefferson)	Haygood	Merrill	Williams
Crane	Headley	Money	Yeilding
Crawford	Higginbotham	Nettles	Young

—84

And the bill, as thus amended:

To authorize and permit teachers, who have retired under the Teachers' Retirement Act, to perform duties as substitute teachers in the public, elementary and high schools, when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor, and to repeal Act #1038 of the 1961 Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Pearson
Adwell	Dobbs	Holman	Pennington
Agee	Doss	House	Perloff
Bank	Downing	Jackson (T)	Pruitt
Bassett	Drake	Jones	Robertson
Berryman (R)	Ellis	Lemley	Sessions
Berryman (W)	Foshee	Lybrand	Slate
Blanton	Gafford	Lyons	Smith
Bowers	Garrett	Malone	Snell
Brannan	Gloor	Manley	Starnes
Brassell	Graham	Marr	Steagall
Brown	Grainger	Mays	Stembridge
Cameron	Grayson	McCorquodale	Stubbs
Cherner	Hain	McDonald	Tuck
Collier	Hardin	Meeks	Turnham
Collins (C)	Harper	Melton	Waggoner
Cook (Coffee)	Harris	Merrill	Watkins
Cook (Jefferson)	Haygood	Money	Weeks
Crane	Headley	Nettles	Williams
Crawford	Higginbotham	Neville	Yeilding
Culver	Hill	Owens (W)	Young

—84

MOTION TO BRING UP H. 310

On motion of Mr. Springer, the rules were suspended and permission granted to bring up H. 310 out of order.

Yeas 64; Nays 11.

Yeas:

Mr. Speaker	Dobbs	Jones	Pennington
Adwell	Doss	Lemley	Perloff
Agee	Downing	Manley	Pruitt
Bank	Drake	Marr	Robertson
Bassett	Ellis	Mathews	Slate
Berryman (R)	Foshee	Mays	Smith
Berryman (W)	Garrett	McCorquodale	Snell
Blanton	Grainger	McLain	Steagall
Brannan	Grayson	Meeks	Stubbs
Brassell	Hain	Melton	Tuck
Brown	Harper	Merrill	Turnham
Cameron	Harris	Money	Waggoner
Collier	Headley	Nettles	Watkins
Cook (Coffee)	Higginbotham	Neville	Weeks
Cook (Jefferson)	Hobbie	Owens (W)	Williams
Crane	House	Pearson	Young

—64

Nays:

Messrs.:	Dill	Haygood	Malone
Cherner	Gafford	Hill	McDonald
Collins (C)	Graham	Lyons	Sessions

—11

And the bill:

H. 310. For the relief of widows of governors of Alabama.

Was taken up.

Mr. Springer offered the following substitute to the bill, H. 310:

A BILL
TO BE ENTITLED
AN ACT

For the relief of widows of governors of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Any un-remarried widow who was the wife of any person who has held the office of Governor of Alabama during his term of office as governor shall be entitled to a pension of $400.00 per month, which shall be payable at the end of each month from any funds in the state treasury not otherwise appropriated, until she remarries or dies.

Section 2. This Act shall take effect on the first of the month next following the date of its enactment.

And the substitute was adopted.

Yeas 66; Nays 14.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Agee	Doss	Jackson (T)	Pearson
Bank	Downing	Jones	Perloff
Berryman (R)	Drake	Lemley	Pruitt
Berryman (W)	Edington	Lybrand	Sessions
Blanton	Ellis	Lyons	Snell
Bowers	Foshee	Manley	Springer
Brannan	Garrett	Marr	Steagall
Brassell	Grainger	Mays	Stembridge
Cameron	Grayson	McCorquodale	Tuck
Collier	Hain	McDonald	Turnham
Collins (C)	Harper	McLain	Waggoner
Collins (W)	Harris	Melton	Watkins
Cook (Coffee)	Headley	Money	Weeks
Cook (Jefferson)	Higginbotham	Nettles	Williams
Culver	Hobbie	Neville	Young
Dill	Holman		

—66

Nays:

Messrs.:	Gloor	Hill	Stubbs
Cherner	Graham	Malone	Wright
Crawford	Hardin	Meeks	Yeilding
Gafford	Haygood	Robertson	

—14

And the bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 15.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Agee	Doss	Jones	Perloff
Bank	Downing	Lemley	Pruitt
Berryman (R)	Drake	Lybrand	Sessions
Berryman (W)	Edington	Lyons	Shumate
Blanton	Ellis	Manley	Slate
Bowers	Foshee	Marr	Snell
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Steagall
Cameron	Hain	McDonald	Stembridge
Collier	Harper	McLain	Tuck
Collins (C)	Harris	Melton	Turnham
Collins (W)	Headley	Merrill	Waggoner
Cook (Coffee)	Higginbotham	Money	Watkins
Cook (Jefferson)	Hobbie	Nettles	Weeks
Culver	Holman	Neville	Williams
Dill	House	Owens (W)	Young

—68

Nays:

Messrs.:	Garrett	Haygood	Robertson
Cherner	Gloor	Hill	Stubbs
Crawford	Graham	Malone	Wright
Gafford	Hardin	Meeks	Yeilding

—15

THIRD READINGS RESUMED

And the bill:

H. 432 (with substitute). To amend Act No. 833, S. 128, Regular Session 1965, which creates the State Employees Insurance Board and authorizes such board to provide a health insurance plan for employees of the State: amending Section 1 of such Act so as to include members of the Legislature within the definition of the term "employee."

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 833, S. 128, Regular Session 1965, which creates the State Employees Insurance Board and authorizes such board to provide a health insurance plan for employees of the State: amending Section 1 of such Act so as to redefine the term "employee," as used in said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, Regular Session, p. 1564), which creates the State Employees Insurance Board and authorizes such board to provide a health insurance plan for employees of the State of Alabama, is hereby amended to read as follows:

"Section 1. For the purpose of this Act an employee is defined as a member of the Alabama Legislature or any other person who works for the State of Alabama, or for a county health department, for wages or on salary, whose compensation in whole or in part is paid through means of a warrant or check drawn upon the State Treasury, warrant or check drawn by the Department of Mental Health upon the State Treasury or upon its duly authorized depository, or by check drawn by the Treasurer of the Alabama State Docks Department, or by check drawn by the Treasurer of the Alabama State Agency for Surplus Property. The term 'employee' shall also include those persons who shall hereafter retire from the service of the State of Alabama and who, at the time of such retirement, met the criteria set out herein and who, following such retirement, draw a monthly benefit from the Employees' Retirement System of Alabama or from the Teachers' Retirement System of Alabama. In all cases of doubt the Board provided for in Section 2 shall determine who is an employee within the meaning of this Act. Temporary workers and casual laborers, and persons working for the State Docks Department who are covered by the United States Railway Retirement Act, shall be excluded from insurance coverage under this Act."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 78; Nays 3.

Yeas:

Mr. Speaker	Dill	Hobbie	Perloff
Adwell	Dobbs	Holman	Pruitt
Agee	Doss	House	Robertson
Bank	Downing	Jackson (T)	Sessions
Bassett	Drake	Jones	Smith
Berryman (R)	Edington	Lemley	Snell
Berryman (W)	Foshee	Lybrand	Springer
Blanton	Gafford	Lyons	Starnes
Bowers	Garrett	Manley	Steagall
Brannan	Graham	Marr	Stembridge
Brassell	Grainger	Mathews	Stubbs
Cameron	Grayson	Mays	Tuck
Cherner	Hain	Meeks	Turnham
Collier	Hardin	Melton	Waggoner
Collins (W)	Harper	Merrill	Weeks
Cook (Coffee)	Harris	Money	Williams
Cook (Jefferson)	Haygood	Neville	Wright
Crane	Headley	Owens (W)	Yeilding
Crawford	Higginbotham	Pearson	Young
Culver	Hill		

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Nays: Messrs. Brown, Nettles and Slate —3

And the bill, H. 432, as thus amended:

To amend Act No. 833, S. 128, Regular Session 1965, which creates the State Employees Insurance Board and authorizes such board to provide a health insurance plan for employees of the State: amending Section 1 of such Act so as to redefine the term "employee," as used in said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 9.

Yeas:

Mr. Speaker	Crawford	Hill	Pearson
Adwell	Dill	Hobbie	Perloff
Agee	Dobbs	Holman	Pruitt
Bank	Downing	House	Sessions
Bassett	Drake	Jackson (T)	Smith
Berryman (R)	Edington	Jones	Snell
Berryman (W)	Foshee	Lemley	Springer
Blanton	Gafford	Lybrand	Starnes
Bowers	Garrett	Lyons	Steagall
Brannan	Graham	Manley	Stembridge
Brassell	Grainger	Mathews	Tuck
Cameron	Grayson	Mays	Turnham
Cherner	Hain	McDonald	Waggoner
Collier	Hardin	Meeks	Weeks
Collins (W)	Harper	Melton	Williams
Cook (Coffee)	Harris	Merrill	Wright
Cook (Jefferson)	Haygood	Money	Yeilding
Crane	Headley	Owens (W)	Young

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Nays:

Messrs.:	Doss	Nettles	Slate
Brown	Higginbotham	Neville	Stubbs
Collins (C)	Marr		

—9

LEAVES OF ABSENCE

On motion of Mr. Drake, leaves of absence were granted to Messrs. Meade, Beck and Holladay because they were out of town on State business.

LEAVE OF ABSENCE

On motion of Mr. Merrill, leave of absence was granted to Mr. Fine due to personal business.

LEAVE OF ABSENCE

On motion of Mr. Springer, leave of absence was granted to Mr. McElhaney due to personal illness.

ADJOURNMENT

On motion of Mr. Cook (Jefferson), the House adjourned until Tuesday, June 17, 1969, at 2 o'clock P. M.

Yeas 43; Nays 39.

Yeas:

Messrs.:	Dill	Holman	Shumate
Bassett	Dobbs	Jackson (T)	Slate
Berryman (R)	Doss	Manley	Snell
Berryman (W)	Downing	Mathews	Starnes
Bowers	Drake	Mays	Steagall
Brannan	Garrett	Melton	Tuck
Brassell	Hain	Merrill	Waggoner
Brown	Hardin	Money	Watkins
Cherner	Harper	Neville	Weeks
Crane	Headley	Pearson	Williams
Crawford	Higginbotham	Robertson	Yeilding

—43

Nays:

Messrs.:	Edington	House	Nettles
Agee	Ellis	Jones	Owens (W)
Bank	Foshee	Lemley	Perloff
Blanton	Graham	Lybrand	Sessions
Burgess	Grainger	Lyons	Smith
Cameron	Grayson	Malone	Springer
Collins (C)	Harris	Marr	Stembridge
Collins (W)	Haygood	McCorquodale	Turnham
Cook (Jefferson)	Hill	McDonald	Wright
Culver	Hobbie	Meeks	Young

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ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 13, 1969

The House did not meet today.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 17, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Bill Stepp, Minister, First Presbyterian Church, Tallassee, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Collins (W)	Grayson	Malone
Adwell	Cook (Coffee)	Hain	Manley
Agee	Cook (Jefferson)	Hardin	Marr
Bank	Crane	Harper	Mathews
Bassett	Crawford	Harris	Mays
Beck	Culver	Haygood	McCorquodale
Berryman (R)	Dill	Headley	McDonald
Berryman (W)	Dobbs	Higginbotham	McElhaney
Blanton	Doss	Hill	McLain
Bolton	Downing	Hobbie	Meade
Bowers	Drake	Holladay	Meeks
Brannan	Edington	Holman	Melton
Brassell	Ellis	House	Merrill
Brown	Fine	Jackson (F)	Money
Burgess	Foshee	Jackson (T)	Nettles
Burgreen	Gafford	Jones	Owen (Baldwin)
Cameron	Garrett	Kilgore	Owens (W)
Cherner	Gloor	Laxson	Owens (W.E.)
Collier	Graham	Lybrand	Paulk
Collins (C)	Grainger	Lyons	Pearson

Pennington	Slate	Stembridge	Weeks
Perloff	Smith	Stubbs	Williams
Pruitt	Snell	Tuck	Wood
Robertson	Springer	Turnham	Wright
Sessions	Starnes	Waggoner	Yeilding
Shumate	Steagall	Watkins	Young

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Starnes, leave of absence was granted to Mr. Lemley because of personal business.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:30 A. M. On June 13, 1969

H. J. R. 37

H. J. R. 24

H. J. R. 25

H. J. R. 26

H. J. R. 27

H. J. R. 28

H. J. R. 29

H. J. R. 33

H. J. R. 34

H. J. R. 35

H. J. R. 20

JOHN W. PEMBERTON,
Clerk

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 19. Relating to the powers and duties of the state personnel director, relieving such officer of the duty of having published the names and addresses of state employees.

H. 162. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

H. 609. To provide under certain conditions for the assignment by the Governor of election observers at precincts or polling places in order to insure fairness; to provide for the status of such observers; and to require certain reports thereof.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 515 (with substitute). To amend Section 259 of Title 46 of the Code of Alabama 1940.

H. 516 (with substitute). To amend Section 291 of Title 46 of the Code of Alabama 1940.

H. 169 (with substitute). To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 148. To amend Code of Alabama 1940, Title 29, Section 34, so as to authorize the Alabama alcoholic beverage control board to permit the sale of draft or keg beer in any wet county.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 198 (with amendment). To provide for mandatory inspection of the slaughter of cattle, sheep, swine, goats, equines, and poultry, and the preparation of the carcasses, parts thereof, meat, meat food products, and poultry products of such animals, solely for distribution in this State; for the regulation of related industries; for cooperation with the United States Department of Agriculture; and for penalties for violations, detention, seizure and other enforcement authorities; the designation of the Alabama Department of Public Health as the supervising agency of the State of Alabama and the authorization of the State Health Officer to promulgate rules and regulations relating to all of the aforesaid.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 764. To further amend Section 8 of Title 42, Code of Alabama 1940, as amended, by providing for temporary leave from prison to a prisoner in the event of the death of his grandchild and to permit the Commissioner of Corrections to delegate the authority to grant temporary leave; to repeal all laws in conflict.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 42 (with substitute). To create the state board of examiners of nursing home administrators; to prescribe the powers of the state board of examiners of nursing home administrators; to provide for the issuance of licenses for nursing home administrators.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 362 (with amendments). Relating to telephone communications, limiting the number of subscribers for which service may be provided on any one line of communication.

Mr. Berryman (R), Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 754. To amend Chapter 2 of Title 17 of the 1940 Code of Alabama, as Amended, to authorize the holding of a presidential preferential primary, to authorize the making of rules governing such preferential primary, and providing for the time for holding such preferential primary, the ballot to be used in such preferential primary and the payment of expenses of such preferential primary.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to trafic control, hereafter accruing to such counties.

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

H. 707. A bill relating to all counties having populations of not less than 19,000 nor more than 19,500 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

H. 708. A bill relating to all counties having populations of not less than 10,800 nor more than 12,000 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and precedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 732. (with amendment). To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 49,000 nor more than 50,000.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 653. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Owen (Baldwin), Stubbs, Bowers, Hardin, Foshee, Jackson (F), Brannan, Burgess, Jackson (T), Holman, Waggoner, Adwell, Ellis, Money, Crane, Meade, Bank, Hain and Cherner:

H. 767. To rescind and revoke membership of the State of Alabama in the United Nations and the specialized agencies thereof, and for other purposes.

Conservation.

By Messrs. Owen (Baldwin), Bowers, Sessions, Dill, Holman, Jackson (T), Brannan and Stubbs:

H. 768. To clarify the law of the State of Alabama, which has been confused and made indefinite by illegal actions of the members of the Supreme Court based on the so-called Fourteenth Amendment which was never ratified and is no part of the Constitution of the United States.

Conservation.

By Mr. Pearson:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

Local Legislation No. 1.

By Mr. Owens (W):

H. 770. To provide for a driver license, a chauffeur license, a motorcycle license, and to prescribe the manner of test therefor, and to authorize the Director of Public Safety to issue said licenses.

Judiciary.

By Mr. Owens (W):

H. 771. To require riders and passengers on motorcycles, motor-driven cycles or motorscooters to wear goggles, a face screen or to be protected by a windscreen attached to the vehicle, and to provide for approval of such devices, to restrict sales in Alabama to approved devices, and to provide a penalty for violation of this Act.

Judiciary.

By Mr. Owens (W):

H. 772. To amend Section 1 of Act No. 193, H. 182, 1963 Regular Session, p. 582, so as to provide for amount of license payable by motor vehicle operators.

Ways and Means.

By Messrs. Merrill and Lybrand:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Local Legislation No. 1.

By Mr. Snell:

H. 774. To provide, in any county of the State of Alabama having a population of not less than 37,000 or more than 41,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Local Legislation No. 1.

By Mr. Meade:

H. 775. To provide for installation of certain distinctive plaques in public school buildings, and making an appropriation to pay therefor.

Ways and Means.

By Messrs. Cook (Coffee), Foshee, McCorquodale and Agee:

H. 776. To amend further Section 1 of Act No. 518, H. 283, approved September 16, 1963 (Acts of Alabama, p. 1106), to fix the compensation of Court Reporters, and provide for the payment thereof.

State Administration.

By Messrs. Cook (Coffee), Foshee, McCorquodale and Agee:

H. 777. To amend further Section 2 of Act No. 302, H. 208, approved September 5, 1919 (General Acts of Alabama, p. 268) entitled "An Act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

State Administration.

By Messrs. Cook (Coffee), Shumate, Bank, Merrill, Robertson, Culver, Hobbie, Jackson (T), House, Harris, Haygood, Dill, Money, Slate, Brown, Perloff, Drake, Grayson, Brannan, Ellis, Lyons, McElhaney and Cameron:

H. 778. To propose an amendment to the Constitution of Alabama to authorize the Legislature to provide a Pension Fund for the Fire Fighters in Alabama and to levy a tax in support thereof.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Cook (Coffee), Shumate, Bank, Merrill, Robertson, Culver, Hobbie, Jackson (T), House, Harris, Haygood, Dill, Money, Slate, Brown, Perloff, Drake, Grayson, Brannan, Ellis, Lyons, McElhaney and Cameron:

H. 779. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

State Administration.

By Messrs. Mathews and Fite:

H. 780. To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

Ways and Means.

By Mr. Cook (Coffee):

H. 781. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Ways and Means.

By Mr. Cook (Coffee):

H. 782. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Ways and Means.

By Messrs. Drake, Beck, Starnes, McDonald, Cook (Coffee), Doss, Slate, Haygood, Hill, Berryman (W), Graham, Berryman (R), Hobbie, Foshee, Meade, Grainger, Laxson, Culver, Jackson (F), Garrett, Pearson, Brassell, Fine, Paulk, Robertson, Agee and McCorquodale:

H. 783. To prevent the unnecessary duplication of electric lines and electric service in areas outside of the corporate boundaries of municipalities in the State of Alabama, to authorize the assignment by the Alabama Public Service Commission of areas to be served by electric suppliers, to provide for the filing of certain rates and schedules of electric suppliers with Alabama Public Service Commission and to provide the procedure therefor and appeals from the orders of said Commission.

Judiciary.

By Mr. Blanton:

H. 784. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a

motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Beck and Meade:

H. 785. Relating to counties having populations of not less than 38,000 nor more than 45,000; authorizing an appropriation from the treasury of any such county for the relief of Eurell Bailey.

Local Legislation No. 1.

By Messrs. Malone, Wright and Owens (W.E.):

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammell nets or hoop or fyke nets in commercial fishing operations in such counties."

Local Legislation No. 1.

By Messrs. Malone, Wright and Owens (W.E.):

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Williams:

H. 788. Relating to all counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; authorizing, but not requiring, the governing body of each of such counties to fix the amount and prescribe the manner of compensating the members of the jury commissions of the county.

Local Legislation No. 1.

By Mr. Williams:

H. 789. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Local Legislation No. 1.

By Mr. Jackson (T):

H. 790. To authorize municipal governing bodies to provide for the election of city attorneys and city recorders at the same time and in the same manner and for the same terms as members of the governing body of the municipality are elected.

Constitution and Elections.

By Messrs. Bowers, Gafford, Meeks, Holman, Waggoner and Jackson (T):

H. 791. To provide for the filing with the State Department of Education of an annual operating statement and a consolidated fund balance sheet each year by all county boards of education, city boards of education, state-supported universities, colleges, trade schools, and other educational institutions supported in whole or in part by state funds; to provide that copies of such statements shall be furnished the State Budget Officer; to provide for a form for such reports; to provide for the publishing of a statewide financial report by the State Department of Education; to provide that such report shall be a public record for inspection of all interested citizens; and to provide for the filing of such report with the Governor, the State Budget Officer, the Secretary of the Senate, and the Clerk of the House of Representatives; to prescribe penalties.

Education.

By Mr. Hill:

H. 792. To amend Act No. 128, H. 129, Regular Session 1945 (General Acts 1945, p. 116), the act creating the Building Commission, so as to authorize the commission to utilize the services, facilities, and employees of any state department, bureau, or agency engaged in planning, constructing, enlarging, or improving public buildings for the State or any of its agencies or institutions.

State Administration.

By Messrs. Higginbotham and Turnham (with notice and proof):

H. 793. To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissions of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

Local Legislation No. 1.

Notice and Proof H. 793:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissioners of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) relating to the privilege or license tax on distributors or sellers of malt of brewed beverages to retailers in Lee County are amended to read as follows:

"Section 1. The court of county commissioners or like governing body of Lee County may levy a privilege or license tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering to retailers in Lee County any malt or brewed beverages, (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume), which tax shall be in an amount equal to not more than four cents on quantities of twelve fluid ounces or less, six cents on quantities of more than twelve but not exceeding sixteen fluid ounces, and eight cents on quantities of more than sixteen but not exceeding twenty-four fluid ounces; and four cents on each twelve fluid ounces or fractional part thereof in excess of twenty-four fluid ounces of malt or brewed beverages sold, delivered or distributed to retailers located in the county. The privilege or license tax herein authorized shall be in addition to all other taxes and licenses now or hereafter authorized or imposed by law.

"Section 2. The privilege or license tax authorized by this act shall be collected by, or under the supervision of the court of county commissioners or like governing body of Lee County. The court of county commissioners or like governing body shall apportion and distribute the proceeds of the tax as follows: One half of the proceeds of the tax shall be paid to the custodian of county school funds to the credit of the county board of education and shall be used solely for public school purposes. The remaining one-half of the proceeds of the tax shall be apportioned and distributed among the county and each incorporated city or town within or extending into the county, so that the portion of the proceeds collected within the corporate limits or police jurisdiction of each incorporated city or town within or extending into the county shall be paid over to such city or town and the portion of the proceeds collected in the county outside the corporate limits and police jurisdictions of incorporated cities or towns within or extending into Lee County shall be retained by the county. The portion of the proceeds paid hereunder to each incorporated municipality within the county shall be covered into the general funds of the city or town; and the portion of the proceeds retained by the county shall be covered into the general fund of Lee County, to be used for governmental purposes of the county as other moneys in the general fund of Lee County are now used."

Section 2. This act shall become effective on the first day of the second month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 5, 12, 19, and 26, all in the year 1969.

W. C. WEAR, JR.

Sworn to and subscribed before me May 27, 1969.

DOROTHY W. MITCHELL,
Notary Public.

By Mr. Burgreen (with notice and proof):

H. 794. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 794:

STATE OF ALABAMA
COUNTY OF LIMESTONE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Ardmore in Limestone County, Alabama, are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other additional and adjacent territory in said county, so as to include within said corporate limits all of the lands described as lying within the following description:

A tract of land lying and being in Sections 3, 4 and 5, Township, 1 South, Range 3 West, in Limestone County, Alabama, more particularly described as beginning at the northeast corner of said Section 3, also a point on the Alabama-Tennessee State Line; thence South along the East boundary of said Section 3, 5280 feet, more or less, to the southeast corner of said Section 3; thence West along the south boundary of said Sections 3 and 4, 10560 feet, more or less, to the southwest corner of said Section 4; thence continue West along the south boundary of said Section 5, 105 feet, more or less, to the center of the L & N Railroad tracks; thence North 24 degrees 31 minutes East along the center of said Railroad tracks, 2900 feet, more or less, to a point on the one-half section line running East and West through said Section 4; thence West along said one-half section line of said Section 4 and the one-half section line running East and West through said Section 5, 1680 feet, more or less, to a point; thence North and parallel with the east boundary of said Section 5, 2630 feet, more or less, to the north boundary of said Section 5 and a point on said State Line; thence East along the north boundary of said Sections 5, 4 and 3, 11060 feet, more or less, to the point of beginning.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on October 1, 1969.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA,
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Baylis Hightower, who after being duly sworn, deposes and says:

My name is Baylis Hightower. I am Treasurer of the Athens News Courier, a newspaper of general circulation, published semi-weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 22nd day of April, 1969, and the last copy of said publication appearing in the said paper on the 13th day of May, 1969.

BAYLIS HIGHTOWER.

Sworn and subscribed to before me this 2nd day of June, 1969.

LOLA L. ORE,
Notary Public.

My commission expires 8-23, 1971.

By Messrs. Pennington and Jones:

H. 795. This Act shall be known and may be cited as "The Uniform Standards Code for Mobile Homes Act."

Rules.

By Messrs. Pennington, McLain and Jones:

H. 796. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions and industry, and to authorize counties and municipalities to provide for collection and disposal of solid wastes and charge a fee therefor, and to contract for such services to be performed by others, and to permit the formation of districts or areas beyond corporate limits, or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting authority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act or rules and regulations pursuant thereto, in the interest of the public health, comfort and safety.

Local Government.

By Messrs. Downing and Grayson (with notice and proof):

H. 797. To authorize the courts of Mobile County to appoint process servers for service of process in civil cases.

Local Legislation No. 3.

Notice and Proof H. 797.

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the courts of Mobile County to appoint process servers for service of process in civil cases.

Be It Enacted by the Legislature of Alabama:

Section 1. Any court in Mobile County having jurisdiction of civil cases may appoint one or more adult persons of good character to serve process in civil matters instituted in the court. Persons so appointed shall be designated process servers and not deputies, and shall serve at the pleasure of the court making the appointment. Process servers shall be required, upon appointment, to post bond, with good and sufficient sureties, as required by law, in the sum of $5,000.00, conditioned upon the true and faithful performance of their duties, payable to the State of Alabama. The sheriff of Mobile County shall not be liable for any malfeasance or misfeasance of process servers in effecting service, and one who wilfully makes a false return shall be guilty of a misdemeanor. Process servers appointed under the provisions of this act shall be entitled to the same fees as prescribed by law for the sheriff of Mobile County for the service of like process, which shall be taxed as costs the same as for the sheriff. Parties to causes instituted in the courts of Mobile County may, but are not required, to use the service of process servers appointed under this act. Any compensation paid to a process server for the service of process shall not add to or diminish the costs otherwise authorized to be taxed by law.

Nothing in this act shall authorize process servers to undertake any process in civil causes to effect physical custody of a person or his property.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch, being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issues of The Mobile Register April 3, 10, 17 and 24, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 12th day of June, 1969.

S. S. GATLIN,
Notary Public.

By Messrs. Lyons, Edington, Nettles and Collins (W):

H. 798. To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude municipalities in the State from levying any tax, license or other charge or fee on the production, ownership, selling, buying, storing or marketing of crude oil or natural gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, ownership, storage, sale, purchase, marketing or transportation of crude oil or natural gas; and to authorize and provide for the payment, in the discretion of the Governor, to municipalities in which oil or gas wells are located or a portion of the severance tax levied by said Act No. 2.

State Administration.

By Mr. Springer:

H. 799. To amend Section 29 of Act No. 516, H. 769, p. 740, Regular Session, 1949, prescribing the method of riding on motorcycles.

Judiciary.

By Mr. Springer:

H. 800. To amend Section 4 of Act No. 652, S. 129, p. 1006, Regular Session, 1949, prescribing the method of riding on motor driven cycles, or other motor driven two-wheeled or three-wheeled vehicles and to require seats and foot rests for passengers.

Judiciary.

By Messrs. Doss and Slate:

H. 801. To apply only in counties having populations of not less than 57,000 nor more than 61,000, providing an expense allowance payable from the county treasury for the use of the coroner.

Local Legislation No. 1.

By Messrs. Slate and Doss:

H. 802. Providing further for expense allowances for certain members of the governing bodies of counties having populations of not less than 57,000 nor more than 61,000, and making such Act retroactive.

Local Legislation No. 1.

By Messrs. Bassett and Hardin:

H. 803. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making an appropriation therefore.

Ways and Means.

By Messrs. Brassell, Turnham and Higginbotham:

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

Local Legislation No. 1.

By Mr. Smith:

H. 805. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

Agriculture.

By Mr. Smith:

H. 806. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting Associations and Cooperative Corporations from payment of license fees as milk producers.

Agriculture.

By Mr. Smith:

H. 807. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to Cooperative Corporations.

Agriculture.

By Messrs. Robertson, Culver, Brown, Jackson (T), Dill, Bank, House, Pennington, Holman, Starnes and Meade:

H. 808. Relating to actions and parties; providing for maintenance of actions ex delicto against publicly owned and operated hospitals.

Local Government.

By Messrs. Shumate, Fite, Dobbs, Fine and Drake:

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

Local Legislation No. 1.

By Messrs. Marr, Wood, Downing, Collins (W), Owen (Baldwin), Brannan, Collins (C), Edington, Nettles, Grayson and Perloff:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Local Legislation No. 3.

By Mr. Bowers:

H. 811. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all

jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

Judiciary.

By Mr. Graham:

H. 812. Relating to insurance: to require insurance companies to notify policy holders of cancellations, change of rates, or reduction of limits of liability and to give reasons therefor.

Judiciary.

By Mr. Graham:

H. 813. To regulate credit reporting agencies; to prohibit such agencies from engaging in the business of a collection agency.

Judiciary.

By Mr. Graham:

H. 814. To require the identification of credit bureaus and credit reporting agencies, the disclosure of records of such bureaus or agencies to the applicant concerned, and to require such bureaus or agencies to keep credit records available for ten years.

Judiciary.

By Messrs. Graham and Berryman (W):

H. 815. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Local Legislation No. 1.

LEAVE OF ABSENCE

On motion of Mr. Paulk, leave of absence was granted to Mr. Neville for two weeks due to military service.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Merrill and Mathews:

H. J. R. 44. WHEREAS Governor Albert P. Brewer has long been known for his love of the law, and he has dedicated his life to a thorough and ever increasing knowledge of very phase of law; and

WHEREAS Governor Brewer is noted for his strong belief in law observance and in a strict adherence to all laws, noxious though some of them may be. His strong but unimpassioned speeches advocating such adherence by all persons have been particularly effective; and

WHEREAS Governor Brewer consistently gives law enforcement officers his unqualified support in executing the laws of this State and of the United States to the end that law and order and justice for all shall prevail; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA BOTH HOUSES THEREOF CONCURRING, That the school of law enforcement at Jacksonville State University shall be named and known as the Albert P. Brewer School of Law Enforcement, as a fitting tribute to the many contributions of Governor Brewer in this field.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 44 was adopted.

Also:

By Messrs. Merrill and Mathews:

H. J. R. 45. WHEREAS Coach Don Salls has been coach of Jacksonville State University's football team for the past twenty years, during which period of time he has won seven conference championships, three bowl games, has never lost a homecoming game and has had one undefeated season; and

WHEREAS Coach Salls has restored football on the campus from a level of mediocrity to a level that has gained the respect of the public and of the coaches of opposing teams; and

WHEREAS Coach Salls is a gentleman of dignity, scholarship and high moral principles and is the only coach in Alabama who holds the doctors degree which he earned in the field of physical education at New York State University; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the athletic dormitory at Jacksonville State University be known as the Don Salls Dormitory as a fitting tribute to the outstanding services of Coach Salls.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 45 was adopted.

Also:

By Messrs. Merrill and Mathews:

H. J. R. 46. WHEREAS Dr. James Marvin Anders joined the faculty of the Jacksonville State Teachers College as assistant professor of history in 1937 and was later appointed as associate professor in the same department; and

WHEREAS in 1954 his rank was raised to that of professor and he was designated as the chairman of the Social Science Division; and

WHEREAS he served as the faculty advisor to the Student Government Association for a period of fifteen years; and

WHEREAS he has served long, faithfully, and loyally the Jacksonville State Teachers College, the Jacksonville State College, and now the Jacksonville State University and has earned the highest respect of the students, the faculty, and the administration; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the so-called "Round House" on the campus of Jacksonville State University be named and known as the Marvin Anders Auditorium in grateful appreciation of the outstanding services of Dr. Anders.

On motion of Mr. Merrill, the rules were suspeended and H. J. R. 46 was adopted.

Also:

By Messrs. Merrill and Mathews:

H. J. R. 47. WHEREAS Ivo Hall Sparkman, a native of Albertville, Alabama has traveled throughout the World with her illustrious husband, Senator John J. Sparkman, and by her gracious manner and charming personality has won friends for this Nation and for Alabama wherever she has traveled;

WHEREAS Mrs. Sparkman is the author of a book telling in a most interesting manner of her travels in fifteen Asian countries; and

WHEREAS Mrs. Sparkman has always reflected credit on her native state in all her many fields of activity as the busy, but self-effacing, wife of an outstanding member of the United States Congress; now therefore

BE IT RESOLVED BY THE LEGISLATURE,, BOTH HOUSES THEREOF CONCURRING, That as an appropriate tribute to Mrs. Sparkman the new girls dormitory at Jacksonville State University is hereby named, designated and shall be known as "The Ivo Hall Sparkman Dormitory."

On motion of Mr. Merrill, the rules were suspended and H. J. R. 47 was adopted.

Also:

By Mr. Dill:

H. R. 48. WHEREAS, the employees of the Louisville & Nashville Railroad Company received the Gold Harriman Safety award for 1968; and,

WHEREAS recognition was given in Birmingham on June 3, 1969, to the employees and the officials of Louisville & Nashville Railroad; and

WHEREAS, the Louisville & Nashville Railroad operates from the northern end of Alabama to the southern most tip of Alabama; and

WHEREAS, the employees of Louisville & Nashville live throughout the State of Alabama, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we thank the officials and employees of the Louisville & Nashville Railroad Company for the outstanding services rendered, and commend them for their superior safety program.

RESOLVED FURHER, that copies of this resolution be sent to certain officials and employees of the Louisville & Nashville Railroad Company.

On motion of Mr. Dill, the rules were suspended and H. R. 48 was adopted.

Also:

By Messrs. Bank, Culver, Robertson, McCorquodale, Nettles and McLain:

H. J. R. 49. WHEREAS Dr. Forest David Mathews, native of Grove Hill, Alabama, has been named by the board of trustees of the University of Alabama to the presidency of the University at Tuscaloosa; and

WHEREAS Dr. Mathews, being a vigorous young man of high intellect, formidable education and exceptional training and experience, is eminently qaulified for the responsible position to which he has been elevated. He received his bachelor's degree from the University in history and classical Greek in 1958 and his master's degree in education in 1959; and while earning his doctoral degree in the history of American education at Columbia University, he taught history and the philosophy of education prior to receiving his Ph.D. from that institution in 1965. After discharging his obligation in the armed services of the United States in which he was an officer in the Infantry Division, he returned to the University of Alabama. Here, he was a lecturer in the history department and was interim dean of men. He became an executive assistant to Dr. Rose in 1966, in which capacity he served until he was named executive vice president for the Tuscaloosa campus last year; and

WHEREAS Dr. Mathews rendered invaluable assistance to the Alabama Educational Study Commission for which he served as chairman of an important subcommittee, and holds responsible posts in numerous educational organizations; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we are delighted with the appointment of Dr. Mathews to the presidency of the University of Alabama at Tuscaloosa. We commend the board of trustees upon their selection, and we heartily congratulate Dr. Mathews upon his being named president of this fine institution. We assure him of our confidence in his ability to fulfill his responsibilities, and look forward to the continued progress of the university under his administration.

RESOLVED FURTHER, That copies of this resolution be sent to Dr. Mathews and to the board of trustees of the University of Alabama.

On motion of Mr. Bank, the rules were suspended and H. J. R. 49 was adopted.

Also:

By Messrs. Bank, Culver, Robertson, McCorquodale, Nettles and Turnham:

H. J. R. 50. WHEREAS Dr. Joseph F. Volker has been named by the board of trustees of the University of Alabama to the presidency of the University Complex at Birmingham; and

WHEREAS the State of Alabama is indeed fortunate in having had the benefit of Dr. Volker's exceptional professional talents and outstanding organizational ability which has guided the phenominal growth of the University at Birmingham (UAB) since he came from his native state of New Jersey in 1948 to organize and to be the first dean of the university's School of Dentistry; and

WHEREAS Dr. Volker attended Rutgers University and received his D.D.S. degree from Indiana University in 1936, an A.B. degree from the University of Rochester in 1938, his master's degree in biochemistry there the following year and his Ph.D. degree in biochemistry from the same institution in 1941. He taught biochemistry and pharmacology at Rochester's School of Medicine and Dentistry where he was a Carnegie

Fellow, and was professor of clinical dentistry at Tufts College Dental School where he was dean immediately prior to coming to Alabama; and

WHEREAS Dr. Volker became director of the fast growing University of Alabama Medical Center in 1966 at which time he was also put in charge of the newly established College of General Studies in Birmingham, and was made executive vice-president of the University of Alabama Complex at Birmingham (UAB) last year; and

WHEREAS Dr. Volker has not only won state and national recognition for his outstanding ability, but he has also received international honors in appreciation for his consultant and advisory health work. The King and Queen of Thailand have conferred upon him an honorary doctor of science degree from the University of Medical Science in Thailand and the King of Sweden conferred the Doctor honoris causa degree from Lund University in Sweden; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most highly commend the board of trustees of the University of Alabama for their selection of a president for the University of Alabama at Birmingham. We assure Dr. Volker of our appreciation for his past services to this state and for the favorable recognition which he has brought to Alabama. We congratulate him upon his nomination to the presidency of the Birmingham Campus and look forward to its continued growth under his able and dynamic leadership.

RESOLVED FURTHER that copies of this resolution be sent to Dr. Volker and to the board of trustees of the University of Alabama.

On motion of Mr. Bank, the rules were suspended and H. J. R. 50 was adopted.

Also:

By Messrs. Bowers, Holman, Waggoner, Weeks, Crane, Ellis, Dill, Gafford, Money, Jackson (T) and Cook (Jefferson):

H. J. R. 51. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the state institution in Birmingham, now designated as Wenonah State Junior College, shall be hereafter designated and known as the Theodore Alfred Lawson Junior College.

RESOLVED FURTHER, That this resolution shall take effect upon its approval by the Governor or as otherwise provided in Article 5, Section 125 of the Constitution.

On motion of Mr. Bowers, the rules were suspended and H. J. R. 51 was adopted.

Also:

By Messrs. Bowers, Manley, Pruitt, Gafford, Adwell, Meeks and Holman:

H. J. R. 52. WHEREAS those Americans who have served their country through active duty in the Armed Forces of the United States are among our most esteemed citizens and but for their stead-fastness America would have fallen a victim of the oppressor's heel; and

WHEREAS though these men deserve special care and consideration by virtue of their service, in order to be admitted to a Veterans' Administration Hospital a veteran must attest to the so-called "Pauper's Oath"; and

WHEREAS an annual income statement must be submitted for purposes of qualification for a veteran's pension, regardless of the age a

veteran attains, and Social Security and other Retirement Benefits must now be considered as income for the purpose of qualification for a veteran's pension, regardless of the age of the veteran; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Congress of the United States be, and hereby is, memorialized to amend the laws of the land concerning veterans and veterans' affairs so as to eliminate the so-called "Pauper's Oath" as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital. The Congress of the United States is further requested to eliminate the annual income statement when the veteran reaches the age of seventy-two (72) years and to exempt Social Security and other Retirement Benefits from consideration as income after the veteran reaches the age of seventy-two (72) years.

RESOLVED FURTHER that duly authenticated copies of this resolution be sent to each member of the Alabama Congressional Delegation and to the Chief Clerks of the Senate and House of Representatives of the United States.

On motion of Mr. Bowers, the rules were suspended and H. J. R. 52 was adopted.

UNANIMOUS CONSENT TO RE-REFER S. 303

On motion of Mr. Merrill, unanimous consent was granted for S. 303 to be re-referred to the Standing Committee on Judiciary from the Standing Committee on Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Robertson, Culver, Brown and Bank:

H. J. R. 53. WHEREAS the Retired Men's Club of Tuscaloosa has shown itself to be a vibrant, vigorous element in the community life of that area, and has through its continuing efforts contributed a great deal to the betterment of the people and institutions of Tuscaloosa and its environs; and

WHEREAS the Retired Men's Club has demonstrated to the people of Alabama that a man's usefulness to his community and his neighbors can never be measured by age; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we take great pleasure in commending the Retired Men's Club of Tuscaloosa, and urge them never to retire from work and interests beneficial to their community, county, state and to their fellow man.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each member of the club.

On motion of Mr. Robertson, the rules were suspended and H. J. R. 53 was adopted.

Also:

By Messrs. Robertson, Culver, Brown and Bank:

H. J. R. 54. WHEREAS the 1969 Girls State staff members and counselors have once again demonstrated to the people of Alabama and to the members of the legislature their collective and individual competence in organizing, conducting and managing an activity which contributes greatly to the development of the youth of this state; and

WHEREAS the Girls State staff and counselors have, through individual efforts, instilled in their young charges the devotion and dedication to civic, community and state affairs that they themselves possess in abundance; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend each and every person associated with this fine group for a job very well done, and for demonstrating to the adults of the state the fine and outstanding qualities of its young people.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to each staff member and counselor who took part in the recent activities.

On motion of Mr. Robertson, the rules were suspended and H. J. R. 54 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment.

By Messrs. Engel, McDermott, Givhan and Cooper:

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Also:

By Mr. McDermott:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Also:

By Mr. Clark:

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Also:

By Mr. Clark:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be

issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

By Mr. Cooper:

S. 430. Relating to the Fourth Judicial Circuit; providing for an additional circuit court judge in such circuit, and for the designation by number of the associate judgeships in such circuit.

Also:

By Mr. Goodwyn:

S. 236. Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may cited; and to provide a severability clause.

Also:

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, instiutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Also:

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

Also:

By Messrs. Giles, Jackson, Stone, Gilmore and Lolley:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Also:

By Messrs. Stone, Clark, Cooper, Goodwyn, Torbert, Givhan, Lindsey, Adams, Turner, Jackson, Giles, Nabors, Branyon, Lolley, Morrow, Gilmore, Oden, Radney, Pierce, Carr, Leonard, Folsom, Bailes, Hawkins, McDermott, Pelham, Engel, Childs and Vacca:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Also:

By Messrs. Stone, Clark, Cooper, Goodwyn, Torbert, Givhan, Lindsey, Adams, Turner, Jackson, Giles, Nabors, Branyon, Lolley, Morrow, Gilmore, Oden, Radney, Pierce, Carr, Leonard, Folsom, Bailes, Hawkins, McDermott, Pelham, Engel, Childs and Vacca:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Also:

By Mr. Oden:

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit

the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibilty for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

Also:

By Mr. Turner:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Also:

By Mr. Pierce:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Also:

By Mr. Clark:

S. 246. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

Also:

By Mr. Turner:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Also:

By Mr. Pierce:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

Also:

By Messrs. Clark, Gilmore, Adams, Morrow and Cooper:

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home,

farm, or business due to acquistion of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistance provisions of The Federal-Aid Highway Act of 1968 and subsequent federal acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this act may be cited; and to provide a severability clause.

Also:

By Mr. Gilmore:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Also:

By Mr. Gilmore:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Also:

By Messrs. Pierce, Radney, Tobert, Lindsey, Engel and Goodwyn:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Also:

By Messrs. Pierce, Radney, Torbert, Lindsey, Engel and Goodwyn:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

By Mr. Engel:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

Also:

By Mr. Oden:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Also:

By Messrs. Cooper, Stone, Lolley, Vacca, Bailes, Gilmore, Oden, Engel, Clark, Torbert, Turner, Carr, Nabors, Folsom, Branyon, Givhan, Jackson, Harris and Pelham:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

Also:

By Messrs. Cooper, Lolley, Clark, Engel, Radney, Lindsey, Albea, Vacca, Childs, Pierce, O'Bannon, Leonard, McDermott, Giles, Gilmore, Adams, Turner, Skidmore, Hawkins, Stone, Oden, Carr, Nabors, Folsom, Branyon, Givhan, Jackson, Harris and Pelham:

S. 80. To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

S. 250. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 291. Judiciary.

S. 301. Judiciary.

S. 302. Judiciary.

S. 430. Public Welfare.

S. 236. Judiciary.

S. 182. Judiciary.

S. 183. Judiciary.

S. 184. Judiciary.

S. 185. Judiciary.

SENATE MESSAGE

S. 186. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 189. Judiciary.

S. 230. Judiciary.

S. 241. Judiciary.

S. 246. Judiciary.

S. 276. Judiciary.

S. 307. Judiciary.

S. 289. Judiciary.

S. 329. Judiciary.

S. 330. Judiciary.

S. 365. Judiciary.

S. 366. Judiciary.

S. 372. Judiciary.

S. 387. Judiciary.

S. 79. Education.

S. 80. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Messrs. Goodwyn, Pierce and Engel:

SB. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 364. Judiciary.

BILLS ON THIRD READING

And the bill:

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Was taken up.

Mr. Harper offered the following amendment to the bill, H. 572:

In Section 1, at the beginning of the third sentence thereof, strike out the following words and figures, "The tax shall be an amount equal to one cent on each four fluid ounces," and insert in lieu thereof the following: The tax shall be two cents on each twelve fluid ounces,

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Lybrand	Pearson
Agee	Downing	Lyons	Pennington
Bank	Drake	Malone	Pruitt
Bassett	Edington	Manley	Robertson
Beck	Fine	Marr	Sessions
Berryman (R)	Foshee	Mays	Shumate
Blanton	Gafford	McCorquodale	Slate
Bolton	Grainger	McDonald	Snell
Bowers	Grayson	McElhaney	Starnes
Brannan	Hain	McLain	Steagall
Brassell	Hardin	Meade	Stembridge
Burgreen	Harris	Meeks	Stubbs
Cherner	Headley	Melton	Tuck
Collier	Higginbotham	Merrill	Turnham
Collins (C)	Holman	Money	Waggoner
Collins (W)	Jackson (F)	Nettles	Watkins
Cook (Coffee)	Jackson (T)	Owen (Baldwin)	Williams
Crane	Jones	Owens (W)	Wood
Crawford	Kilgore	Owens (W.E.)	Wright
Dill	Laxson	Paulk	Yeilding

—80

And the bill, H. 572, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Owens (W.E.)
Agee	Downing	Kilgore	Paulk
Bank	Drake	Laxson	Pearson
Bassett	Edington	Lybrand	Pennington
Beck	Fine	Malone	Pruitt
Berryman (R)	Foshee	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mays	Shumate
Bolton	Gloor	McCorquodale	Slate
Bowers	Grainger	McDonald	Snell
Brannan	Grayson	McElhaney	Starnes
Brassell	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cherner	Harris	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hobbie	Money	Waggoner
Cook (Coffee)	Holman	Nettles	Watkins
Crane	House	Owen (Baldwin)	Williams
Crawford	Jackson (F)	Owens (W)	Wood
Dill	Jackson (T)		

—82

And the bill:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Paulk
Agee	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Pennington
Beck	Fine	Lybrand	Perloff
Berryman (R)	Foshee	Lyons	Pruitt
Berryman (W)	Gafford	Malone	Robertson
Blanton	Garrett	Manley	Sessions
Bowers	Gloor	Marr	Shumate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Burgreen	Hain	McDonald	Starnes
Cameron	Hardin	McElhaney	Steagall
Cherner	Harper	Meade	Stembridge
Collier	Harris	Meeks	Stubbs
Collins (C)	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Watkins
Crane	Holman	Nettles	Williams
Crawford	House	Owen (Baldwin)	Wood
Dill	Jackson (F)	Owens (W)	Wright
Dobbs	Jackson (T)	Owens (W.E.)	Yeilding

—84

And the bill:

H. 675. (with substitute): To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide in every County having a poulation of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall apply in every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census and to no other county.

Section. 2. The following words and terms, as used in this act, shall have the meanings hereby ascribed to them: "the county" means any county to which this act applies; "the Authority" means the public corporation for which this act provides; "the Board" means the Board

of Directors of the Authority; "the largest city" means that city of the county having the largest population according to the last or any subsequent Federal census; "the Chamber of Commerce" means that organization in the largest city to the membership in which any reputable person engaged in mercantile, manufacturing, banking, jobbing or similar business is eligible, and which most nearly of all organizations in such city regardless of name, performs the functions of such organizations as are commonly known as Chambers of Commerce; "person" includes a natural person, corporation, partnership, association or other entity; "City Motel-Hotel Association" means that association in the largest city the membership of which is composed of persons engaged in the hotel, motel, tourist court or similar business in such city or in the county and which has the largest membership of any such organization in said city.

Section 3. There is hereby established in the county a public corporation for the purposes herein specified, which corporation shall be vested with the powers conferred upon it by this act. The said public corporation is at times hereinafter referred to as "the Authority".

Subject to the conditions and qualifications hereinafter stated, the name of the said corporation shall be "_____ Convention and Tourism Authority". In the blank space will be inserted the name of the city and the name of the county, with the two names being separated by a hyphen, with neither name including the term "county of" or "city of".

The Board of Directors of the Authority may choose some name other than that above specified at any time it elects to do so; provided, however, that if the Board of Directors chooses any other name there shall be filed for record in the office of the Probate Judge of the county a copy of the resolution of the Board of Directors stating the name adopted by the Authority, which resolution shall be followed by a certificate signed by the Chairman of the Board of Directors stating the date on which the resolution was adopted and stating that the copy of the resolution preceding said certificate is a true and correct copy of the resolution adopted by the Board of Directors.

Section 4. The Authority shall be authorized and empowered to conduct programs, including but not limited to programs of information and publicity designed to attract conventions and tourists to the County.

The Authority may enter into contracts with any person, firm, corporation or association to carry out the purposes set forth in this act. No contract entered into by the Authority shall bind the State or any county or municipality of the State.

The Authority shall have the power (a) to sue and be sued; (b) to acquire property and rights and interests in property by gift, lease or purchase; (c) to have a seal and alter the same at pleasure; (d) to appoint officers, agents, employees and attorneys, and to fix their compensation; (e) to make by-laws for the management and regulation of its affairs; (f) to make contracts, and to execute all instruments necessary or convenient to lease or purchase and own real or personal property to be used for the furtherance of the purposes for the accomplishment of which said Authority is created; (g) to accept or receive gifts, bequests and devises; and (h) to do all things necessary or convenient to carry out the powers expressly given herein.

For the aforesaid purposes and for no other purposes the Authority shall be authorized to use and apply the proceeds of any taxes which the Legislature provides shall be payable to the Authority.

Section 5. The affairs and business of the Authority shall be managed and conducted by a Board of Directors consisting of five (5)

members, as stated below. The president, chairman or head of the governing body of the county and the president, chairman or head of the governing body of the largest municipality of the county shall be ex-officio members of the board.

The other Directorships shall be designated as Directorships No. 1, No. 2 and No. 3. All members of the Board, including ex officio members, shall be voting members. The President of the City Motel-Hotel Association shall occupy Directorship No. 1. That person representing the classification of Motel-Hotel business on the Chamber of Commerce Board of Directors shall occupy Directorship No. 2. The Executive Vice President of the Chamber of Commerce shall occupy Directorship No. 3.

No person except a qualified elector of the County shall occupy any Directorship.

The provisions set forth below shall govern the filling of any numbered directorship not filled by the person above described within sixty (60) days from the adoption of this act; and the said provisions shall also apply to the filling of any vacancy later occurring with respect to any of the three numbered positions, not so filled within sixty (60) days after such vacancy occurs. As hereinafter used in this Section 5, the term "vacancy" means a vacancy in respect to any of the three numbered directorships existing immediately upon the adoption of this act or arising at any time after the adoption of this act. If a vacancy in any of the three numbered positions continues for more than sixty (60) days, and if the vacancy is in directorship No. 1, the governing body of the county will appoint a person to fill the directorship; if the vacancy is in directorship No. 2, the governing body of the largest city will appoint a person to fill the directorship; and if the vacancy is in directorship No. 3, the Probate Judge of the county will appoint a person to fill the directorship. Any person appointed to fill a vacancy shall be a qualified elector of the county.

The governing body of the County shall not appoint any person to Directorship No. 1 unless the President of the City Motel-Hotel Association at the time of such appointment has failed for a period of at least sixty (60) days, prior to the appointment, to serve in Directorship No. 1. The governing body of the largest city shall not appoint any person to Directorship No. 2 unless that person representing the classification of motel-hotel business on the Chamber of Commerce Board of Directors, at the time of such appointment, has failed for a period of at least sixty (60) days, prior to the appointment, to serve in Directorship No. 2. The Probate Judge shall not appoint any person to Directorship No. 3 unless the person occupying the Executive Vice Presidency of the Chamber of Commerce at the time of such appointment has failed for a period of at least sixty (60) days, prior to the appointment, to serve in Directorship No. 3.

If a person is appointed to fill any vacant directorship, he shall serve for a term of two years commencing on the date of his appointment.

The members of the Board shall serve without compensation, except that they shall be reimbursed for actual expenses incurred in and about the performance of their duties for the Authority.

Section 6. The power of the Authority shall be vested in and exercised by the Board subject to the provisions of this Act.

The Board shall be authorized to employ agents, employees, consultants, attorneys and to secure such services and assistance as the Board deems necessary to enable it to conduct, and engage in the activities and purposes for which this Authority is created.

The Board may delegate to one or more of its members, or its officers, such duties as it deems proper.

The Board shall elect a Chairman and Vice Chairman of said Board who shall serve as Chairman in the event of the Chairman's absence.

The Board shall also elect a Treasurer and Secretary. The same person may serve as secretary and treasurer.

The secretary and treasurer may be or may not be a member of the Board. The Board shall provide by resolution for the dates on which the Chairman, Vice Chairman, Treasurer and Secretary shall be elected, which resolution shall specify the term or period for which each of the officers last named shall serve. The Board may provide different terms for such officers, and may change the term provided for any such officer.

The Treasurer shall act as custodian of all of the funds from whatever sources derived received by such officer.

The Treasurer of the Authority shall execute a fidelity bond with a company authorized to write such bonds in the State of Alabama being surety thereon, which bond shall be in an amount approved by the Board.

Contracts of the Authority shall be executed in the name of the Authority by the Chairman of the Board and attested by the Secretary of the Authority; provided, however, that the Board may by resolution provide for a different form for the execution of contracts and for the execution thereof by an officer or agent other than the Chairman and Secretary. In no event shall a contract, irrespective of its form and of the persons executing the same, be binding unless such contract was authorized or ratified by the Board.

Section 7. All laws and parts of laws, whether general, special or local, in conflict with the provisions of this Act, are hereby repealed to the extent of such conflict.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 9. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Collier	Garrett	Jackson (T)
Agee	Collins (C)	Gloor	Jones
Bank	Collins (W)	Graham	Kilgore
Bassett	Cook (Coffee)	Grainger	Laxson
Beck	Cook (Jefferson)	Grayson	Lybrand
Berryman (R)	Crane	Hain	Lyons
Berryman (W)	Crawford	Hardin	Malone
Blanton	Dill	Harper	Manley
Bolton	Dobbs	Harris	Marr
Bowers	Doss	Headley	Mays
Brannan	Downing	Higginbotham	McCorquodale
Brassell	Drake	Hobbie	McDonald
Burgess	Edington	Holman	McElhaney
Burgreen	Fine	House	Meade
Cherner	Foshee	Jackson (F)	Meeks

Melton	Paulk	Shumate	Stubbs
Merrill	Pearson	Slate	Tuck
Money	Pennington	Smith	Turnham
Nettles	Perloff	Snell	Waggoner
Owen (Baldwin)	Pruitt	Starnes	Williams
Owens (W)	Robertson	Steagall	Wood
Owens (W.E.)	Sessions	Stembridge	Wright

—88

And the bill, H. 675, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Agee	Doss	Jackson (T)	Pearson
Bank	Downing	Jones	Pennington
Bassett	Drake	Kilgore	Perloff
Berryman (R)	Edington	Laxson	Pruitt
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Foshee	Lyons	Sessions
Bolton	Garrett	Malone	Shumate
Bowers	Gloor	Manley	Slate
Brannan	Graham	Marr	Smith
Brassell	Grainger	Mays	Snell
Burgess	Grayson	McCorquodale	Starnes
Burgreen	Hain	McDonald	Steagall
Cherner	Hardin	McElhaney	Stembridge
Collier	Harper	Meeks	Stubbs
Collins (C)	Harris	Melton	Tuck
Collins (W)	Headley	Merrill	Turnham
Cook (Coffee)	Higginbotham	Money	Waggoner
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Owen (Baldwin)	Wood
Crawford	Holman	Owens (W)	Wright
Dill	House	Owens (W.E.)	Yeilding

—88

And the bill:

H. 676. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings, or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state

having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 2.

Yeas:

Mr. Speaker	Dobbs	Jones	Pennington
Agee	Doss	Laxson	Perloff
Bank	Downing	Lybrand	Pruitt
Bassett	Drake	Lyons	Robertson
Beck	Edington	Malone	Sessions
Berryman (R)	Fine	Manley	Shumate
Berryman (W)	Foshee	Marr	Slate
Blanton	Garrett	Mays	Snell
Bolton	Graham	McCorquodale	Starnes
Bowers	Grainger	McDonald	Steagall
Brannan	Grayson	McElhaney	Stembridge
Brassell	Hain	Meade	Stubbs
Burgreen	Hardin	Meeks	Tuck
Collier	Harper	Melton	Turnham
Collins (C)	Harris	Merrill	Waggoner
Collins (W)	Headley	Nettles	Watkins
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Weeks
Cook (Jefferson)	Hill	Owens (W)	Williams
Crane	Hobbie	Owens (W.E.)	Wood
Crawford	Holman	Paulk	Wright
Culver	Jackson (F)	Pearson	Yeilding
Dill			

—85

Nays: Messrs. Cherner and House —2

And the bill:

H. 678. Proposing a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Messrs.:	Beck	Bolton	Burgreen
Agee	Berryman (R)	Bowers	Cherner
Bank	Berryman (W)	Brannan	Collier
Bassett	Blanton	Brassell	Collins (C)

Collins (W)	Hain	Manley	Perloff
Cook (Coffee)	Hardin	Marr	Pruitt
Crawford	Harper	Mays	Robertson
Culver	Harris	McCorquodale	Sessions
Dill	Headley	McElhaney	Slate
Dobbs	Higginbotham	Meade	Snell
Doss	Hill	Meeks	Starnes
Downing	Hobbie	Melton	Steagall
Drake	Holman	Merrill	Stembridge
Edington	Jackson (F)	Money	Stubbs
Ellis	Jackson (T)	Nettles	Tuck
Fine	Jones	Owen (Baldwin)	Turnham
Foshee	Kilgore	Owens (W)	Williams
Garrett	Laxson	Owens (W.E.)	Wood
Graham	Lybrand	Paulk	Wright
Grainger	Lyons	Pearson	Yeilding
Grayson	Malone	Pennington	—82

And the bill:

H. 679. To authorize the governing body of every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to adopt and enforce ordinances designed to promote the orderly and safe movement of pedestrian and vehicular traffic on the public highways and roads in areas of the county not situated within the boundaries of any municipality; to authorize any such governing body to adopt and enforce ordinances prescribing speeds at which it shall be lawful and speeds at which it shall be unlawful to operate vehicles on such public highways and roads; to authorize any such governing body to adopt and enforce ordinances providing for the installation or maintenance of traffic signs, traffic signals, traffic lines, traffic lanes and other devices designed to regulate and control vehicular and pedestrian traffic on such public highways and roads, to authorize any such governing body to adopt and enforce ordinances containing regulations and prohibitions regarding the parking of vehicles on such public highways and roads; to provide that no such governing body shall have the authority to adopt any ordinances applying within the corporate limits of any municipality and that no ordinance adopted under this Act shall have any effect or force within the corporate limits of any municipality; to provide that no such governing body shall have the power to pass any ordinance inconsistent with any law of the State or with any ordinance of any municipality applying within the police jurisdiction thereof; to provide that if there is any such conflict, the State law or the municipal ordinance shall prevail over the ordinance adopted by the governing body of the county, insofar as there is any such conflict; to provide for the procedure by which the governing body shall adopt an ordinance under this Act; to provide that no ordinance adopted under this Act shall take effect until it has been published in a newspaper of general circulation in the County; to provide that all courts of the State shall take judicial notice of all ordinances adopted under this Act; to provide that the violation of any ordinance adopted under this Act shall constitute a misdemeanor and to provide the punishment to be imposed upon one convicted of any such violation; to provide that the fees and costs of court in cases involving the violation of any such ordinance shall be the same as the laws prescribe generally for misdemeanors in that court wherein the cases involving such violation arises; to repeal all laws or parts of laws in conflict with this Act to the extent of such conflict; and to provide when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Culver	Hobbie	Owens (W.E.)
Agee	Dill	Holman	Paulk
Bank	Dobbs	Jackson (F)	Pearson
Bassett	Doss	Jones	Pennington
Beck	Downing	Laxson	Perloff
Berryman (R)	Drake	Lybrand	Pruitt
Berryman (W)	Edington	Lyons	Robertson
Blanton	Ellis	Malone	Sessions
Bolton	Fine	Manley	Slate
Bowers	Foshee	Marr	Smith
Brannan	Garrett	Mays	Snell
Brassell	Graham	McCorquodale	Starnes
Burgreen	Grainger	McElhaney	Steagall
Cherner	Grayson	Meade	Stembridge
Collier	Hain	Meeks	Stubbs
Collins (C)	Hardin	Melton	Tuck
Collins (W)	Harper	Merrill	Turnham
Cook (Coffee)	Harris	Money	Waggoner
Cook (Jefferson)	Headley	Nettles	Williams
Crane	Higginbotham	Owen (Baldwin)	Wood
Crawford	Hill	Owens (W)	Wright

—84

Nays: Messrs. Gafford and Jackson (T) —2

And the bill:

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Paulk
Agee	Downing	Jackson (F)	Pearson
Bank	Drake	Jones	Pennington
Bassett	Edington	Kilgore	Perloff
Beck	Ellis	Laxson	Pruitt
Berryman (R)	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Starnes
Burgreen	Grainger	McCorquodale	Steagall
Cherner	Grayson	McElhaney	Stembridge
Collier	Hain	McLain	Stubbs
Collins (C)	Hardin	Meade	Tuck
Collins (W)	Harper	Meeks	Turnham
Cook (Coffee)	Harris	Melton	Waggoner
Cook (Jefferson)	Headley	Merrill	Weeks
Crane	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	Hobbie	Owen (Baldwin)	Wright
Dill	Holladay	Owens (W)	Yeilding
Dobbs	Holman	Owens (W.E.)	

—91

And the bill:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Owen (Baldwin)
Agee	Downing	House	Owens (W)
Bank	Drake	Jackson (F)	Paulk
Bassett	Edington	Jackson (T)	Pearson
Beck	Ellis	Jones	Pennington
Berryman (R)	Fine	Laxson	Perloff
Berryman (W)	Foshee	Lybrand	Pruitt
Blanton	Gafford	Lyons	Robertson
Bolton	Garrett	Malone	Slate
Bowers	Gloor	Manley	Smith
Brannan	Graham	Marr	Snell
Brassell	Grainger	Mays	Starnes
Burgreen	Grayson	McCorquodale	Steagall
Cherner	Hain	McDonald	Stubbs
Collier	Hardin	McElhaney	Tuck
Collins (C)	Harper	McLain	Turnham
Collins (W)	Harris	Meade	Waggoner
Cook (Coffee)	Headley	Meeks	Williams
Crane	Higginbotham	Melton	Wood
Crawford	Hill	Merrill	Wright
Dill	Hobbie	Money	Yeilding
Dobbs	Holladay	Nettles	—87

And the bill:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Berryman (R)	Brannan	Collins (C)
Adwell	Berryman (W)	Brassell	Collins (W)
Bank	Blanton	Burgreen	Cook (Coffee)
Bassett	Bolton	Cherner	Cook (Jefferson)
Beck	Bowers	Collier	Crane

Crawford	Hardin	McCorquodale	Pruitt
Culver	Harris	McDonald	Sessions
Dill	Headley	McElhaney	Slate
Dobbs	Higginbotham	McLain	Smith
Downing	Hill	Meade	Snell
Drake	Hobbie	Meeks	Springer
Edington	Holman	Melton	Steagall
Ellis	House	Merrill	Stembridge
Fine	Jackson (F)	Money	Stubbs
Foshee	Jackson (T)	Nettles	Tuck
Gafford	Jones	Owen (Baldwin)	Turnham
Garrett	Kilgore	Owens (W)	Waggoner
Gloor	Lybrand	Owens (W.E.)	Williams
Graham	Lyons	Paulk	Wood
Grainger	Malone	Pearson	Wright
Grayson	Manley	Pennington	Yeilding
Hain	Mathews		

—86

And the bill:

H. 669. (with substitute). Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of revenue, court of county commissioners or other like governing body in any county having a population of not less than 26,000 and not more than 27,000 according to the most recent federal decennial census shall when authorized by the said governing body be entitled to a mileage allowance of ten cents per mile for attending any state or national convention of the Association of County Commissioners of Alabama, or the National Association of Counties, or their successor-organizations.

Such allowance shall be in addition to any other expense or mileage allowance authorized by law and shall be paid out of the general fund of the county as prescribed by law.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Agee	Downing	Jackson (F)	Owens (W.E.)
Bank	Drake	Jackson (T)	Paulk
Bassett	Edington	Jones	Pearson
Beck	Ellis	Kilgore	Pennington
Berryman (R)	Fine	Laxson	Perloff
Berryman (W)	Foshee	Lybrand	Pruitt
Blanton	Gafford	Lyons	Robertson
Bolton	Garrett	Malone	Sessions
Bowers	Gloor	Manley	Slate
Brannan	Graham	Marr	Smith
Brassell	Grainger	Mays	Snell
Burgreen	Grayson	McCorquodale	Starnes
Cherner	Hain	McElhaney	Steagall
Collier	Hardin	McLain	Stembridge
Collins (C)	Harris	Meade	Stubbs
Collins (W)	Headley	Meeks	Turnham
Cook (Coffee)	Higginbotham	Melton	Waggoner
Cook (Jefferson)	Hill	Merrill	Williams
Crane	Hobbie	Money	Wood
Crawford	Holladay	Nettles	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill			

—89

And said bill, H. 669, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W.E.)
Agee	Drake	Jones	Paulk
Bank	Edington	Kilgore	Pearson
Bassett	Ellis	Laxson	Pennington
Beck	Fine	Lybrand	Perloff
Berryman (R)	Foshee	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Blanton	Gloor	Manley	Shumate
Bowers	Graham	Marr	Slate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Burgreen	Hain	McDonald	Starnes
Cherner	Hardin	McElhaney	Steagall
Collier	Harris	McLain	Stembridge
Collins (W)	Headley	Meade	Stubbs
Cook (Coffee)	Higginbotham	Meeks	Tuck
Cook (Jefferson)	Hill	Melton	Turnham
Crane	Hobbie	Merrill	Waggoner
Crawford	Holladay	Money	Williams
Culver	Holman	Nettles	Wood
Dobbs	House	Owen (Baldwin)	Wright
Doss	Jackson (F)	Owens (W)	Yeilding

—88

And the bill:

H. 681. Relating to the Board of Revenue of Limestone County; temporarily increasing the expense allowances for members of said board; fixing the salaries of the members, and reducing expense allowances effective with the new salaries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W.E.)
Agee	Downing	Jones	Paulk
Bank	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Pennington
Beck	Ellis	Lybrand	Perloff
Berryman (R)	Fine	Lyons	Pruitt
Berryman (W)	Foshee	Malone	Robertson
Blanton	Gafford	Manley	Sessions
Bowers	Garrett	Marr	Shumate
Brannan	Graham	Mays	Slate
Brassell	Grainger	McCorquodale	Smith
Burgreen	Grayson	McDonald	Snell
Cherner	Hain	McElhaney	Starnes
Collier	Hardin	McLain	Steagall
Collins (C)	Harris	Meade	Stembridge
Collins (W)	Headley	Meeks	Stubbs
Cook (Coffee)	Higginbotham	Melton	Tuck
Cook (Jefferson)	Hill	Merrill	Turnham
Crane	Hobbie	Money	Waggoner
Crawford	Holladay	Nettles	Williams
Culver	Holman	Owen (Baldwin)	Wright
Dill	House	Owens (W)	Yeilding
Dobbs	Jackson (F)		—90

And the bill:

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Gloor	Lybrand
Agee	Cook (Jefferson)	Graham	Lyons
Bank	Crane	Grainger	Malone
Bassett	Crawford	Hain	Manley
Beck	Culver	Hardin	Marr
Berryman (R)	Dill	Harris	Mays
Berryman (W)	Dobbs	Headley	McCorquodale
Blanton	Doss	Higginbotham	McDonald
Bowers	Downing	Hill	McElhaney
Brannan	Drake	Hobbie	McLain
Brassell	Edington	Holman	Meade
Burgreen	Ellis	House	Meeks
Cherner	Fine	Jackson (F)	Melton
Collier	Foshee	Jackson (T)	Merrill
Collins (C)	Gafford	Jones	Money
Collins (W)	Garrett	Laxson	Nettles

Owen (Baldwin)	Perloff	Starnes	Turnham
Owens (W)	Pruitt	Steagall	Waggoner
Owens (W.E.)	Sessions	Stembridge	Williams
Paulk	Slate	Stubbs	Wright
Pearson	Smith	Tuck	Yeilding
Pennington	Snell		

—86

And the bill:

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pearson
Agee	Ellis	Lybrand	Pennington
Bank	Fine	Lyons	Perloff
Bassett	Foshee	Malone	Pruitt
Beck	Gafford	Manley	Robertson
Berryman (R)	Garrett	Marr	Sessions
Berryman (W)	Gloor	Mays	Shumate
Blanton	Graham	McCorquodale	Slate
Bowers	Grainger	McDonald	Smith
Brannan	Grayson	McElhaney	Snell
Brassell	Hain	McLain	Starnes
Burgreen	Hardin	Meade	Steagall
Collier	Harris	Meeks	Stembridge
Cook (Coffee)	Higginbotham	Melton	Stubbs
Cook (Jefferson)	Hill	Merrill	Tuck
Crane	Hobbie	Money	Turnham
Crawford	Holladay	Nettles	Waggoner
Culver	Holman	Owen (Baldwin)	Williams
Dill	House	Owens (W)	Wood
Dobbs	Jackson (F)	Owens (W.E.)	Wright
Downing	Jackson (T)	Paulk	Yeilding
Drake	Jones		

—86

And the bill:

H. 691. To provide for the compensation and expense allowances for certain officers and employees of Limestone County; to provide additional allowances for the employment of deputies, clerks, and other assistants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Beck	Brannan	Collins (W)
Adwell	Berryman (R)	Brassell	Cook (Coffee)
Agee	Berryman (W)	Burgreen	Crane
Bank	Blanton	Collier	Crawford
Bassett	Bowers	Collins (C)	Culver

Dobbs	Headley	McCorquodale	Robertson
Doss	Higginbotham	McElhaney	Sessions
Downing	Hill	McLain	Shumate
Drake	Hobbie	Meade	Slate
Edington	Holman	Meeks	Smith
Ellis	House	Melton	Snell
Fine	Jackson (F)	Merrill	Starnes
Foshee	Jackson (T)	Money	Steagall
Gafford	Jones	Nettles	Stembridge
Garrett	Kilgore	Owen (Baldwin)	Stubbs
Gloor	Laxson	Owens (W)	Tuck
Graham	Lybrand	Owens (W.E.)	Turnham
Grainger	Lyons	Paulk	Waggoner
Grayson	Malone	Pearson	Williams
Hain	Manley	Pennington	Wood
Hardin	Marr	Perloff	Wright
Harris	Mays	Pruitt	Yeilding

—88

And the bill:

H. 692. Relating to the public funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W.E.)
Adwell	Downing	Jones	Paulk
Agee	Drake	Kilgore	Pearson
Bank	Edington	Laxson	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Fine	Lyons	Pruitt
Berryman (R)	Foshee	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Blanton	Garrett	Marr	Shumate
Bowers	Gloor	Mays	Slate
Brannan	Graham	McCorquodale	Smith
Brassell	Grainger	McDonald	Snell
Burgreen	Grayson	McElhaney	Starnes
Cameron	Hain	McLain	Steagall
Collier	Hardin	Meade	Stubbs
Collins (C)	Harris	Meeks	Tuck
Collins (W)	Higginbotham	Melton	Turnham
Crane	Hobbie	Merrill	Waggoner
Crawford	Holladay	Money	Williams
Culver	Holman	Nettles	Wood
Dill	House	Owen (Baldwin)	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding

—88

And the bill:

H. 693. Relating to Limestone County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Paulk
Adwell	Edington	Kilgore	Pearson
Agee	Ellis	Laxson	Pennington
Bank	Fine	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Berryman (R)	Gafford	Malone	Robertson
Berryman (W)	Garrett	Manley	Sessions
Blanton	Gloor	Marr	Shumate
Bowers	Graham	Mays	Slate
Brannan	Grainger	McCorquodale	Smith
Brassell	Grayson	McDonald	Snell
Burgreen	Hain	McElhaney	Starnes
Cameron	Hardin	McLain	Steagall
Collier	Harris	Meeks	Stubbs
Collins (C)	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Turnham
Crane	Hobbie	Money	Waggoner
Crawford	Holladay	Nettles	Williams
Culver	Holman	Owen (Baldwin)	Wood
Dobbs	House	Owens (W)	Wright
Doss	Jackson (F)	Owens (W.E.)	Yeilding
Downing	Jackson (T)		

—86

And the bill:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City or Anniston.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Messrs.:	Dill	Holman	Owen (Baldwin)
Adwell	Dobbs	House	Owens (W.E.)
Agee	Doss	Jackson (F)	Paulk
Bank	Downing	Jackson (T)	Pearson
Bassett	Drake	Jones	Pennington
Beck	Edington	Kilgore	Perloff
Berryman (R)	Ellis	Laxson	Pruitt
Blanton	Fine	Lybrand	Robertson
Bowers	Foshee	Lyons	Sessions
Brannan	Gafford	Malone	Shumate
Brassell	Garrett	Manley	Slate
Burgess	Gloor	Marr	Snell
Burgreen	Graham	Mays	Starnes
Cameron	Grainger	McCorquodale	Steagall
Cherner	Grayson	McElhaney	Stubbs
Collier	Hain	McLain	Tuck
Collins (C)	Hardin	Meade	Turnham
Collins (W)	Harris	Meeks	Waggoner
Cook (Coffee)	Headley	Melton	Williams
Crane	Higginbotham	Merrill	Wood
Crawford	Hobbie	Money	Wright
Culver	Holladay	Nettles	Yeilding

—87

And the bill:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

Was taken up.

MOTION TO TAKE UP BILLS OUT OF ORDER

On motion of Mr. Smith, unanimous consent was granted to take up H. 556, H. 557, H. 558, H. 559, H. 560 and H. 561 out of order.

BILLS ON THIRD READINGS CONTINUED

And the bill:

H. 556. To provide that the execution of certain contracts and purchases made by or on behalf of the Alabama Institute of Deaf and Blind shall be subject to the provisions of the state competitive bid law as provided by Act No. 217, S. 23, Special Session 1967 (Acts 1967, p. 259) as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Paulk
Adwell	Dobbs	Jackson (F)	Pearson
Agee	Doss	Jackson (T)	Pennington
Bank	Downing	Jones	Perloff
Bassett	Drake	Laxson	Robertson
Beck	Edington	Lybrand	Sessions
Berryman (R)	Ellis	Lyons	Shumate
Berryman (W)	Fine	Malone	Slate
Blanton	Foshee	Manley	Smith
Bolton	Gafford	Marr	Snell
Brannan	Garrett	Mays	Starnes
Brassell	Gloor	McCorquodale	Steagall
Burgess	Graham	McDonald	Stembridge
Burgreen	Grainger	McElhaney	Stubbs
Cameron	Grayson	Meade	Tuck
Cherner	Hain	Melton	Turnham
Collier	Hardin	Merrill	Weeks
Collins (C)	Harper	Money	Williams
Collins (W)	Harris	Nettles	Wood
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Wright
Crane	Hobbie	Owens (W)	Yeilding
Crawford	Holman	Owens (W.E.)	—87

And the bill:

H. 557. Relating to schools; authorizing Alabama Institute for Deaf and Blind to provide education at pre-school and junior college levels for deaf, blind, visually handicapped, and otherwise severely handicapped persons.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owens (W)
Agee	Dill	Jackson (T)	Owens (W.E.)
Bank	Dobbs	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lybrand	Pennington
Berryman (R)	Edington	Lyons	Pruitt
Berryman (W)	Ellis	Malone	Robertson
Blanton	Fine	Manley	Sessions
Bolton	Foshee	Marr	Shumate
Bowers	Gafford	Mathews	Slate
Brannan	Garrett	Mays	Smith
Brassell	Gloor	McCorquodale	Snell
Brown	Graham	McDonald	Starnes
Burgreen	Grainger	McElhaney	Stembridge
Cameron	Grayson	Meade	Stubbs
Cherner	Hain	Meeks	Tuck
Collier	Hardin	Melton	Turnham
Collins (C)	Harper	Merrill	Williams
Collins (W)	Harris	Money	Wood
Cook (Coffee)	Higginbotham	Nettles	Wright
Crane	Hobbie	Owen (Baldwin)	Yeilding
Crawford	Holman		—86

And the bill:

H. 558. To amend Code of Alabama 1940, Title 52, Sections 528 and 530, in relation to the Institute for Deaf and Blind.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crawford	Holman	Owens (W.E.)
Agee	Culver	Jackson (F)	Paulk
Bank	Dill	Jackson (T)	Pennington
Bassett	Dobbs	Jones	Pruitt
Beck	Downing	Laxson	Robertson
Berryman (R)	Drake	Lybrand	Shumate
Berryman (W)	Edington	Lyons	Slate
Blanton	Ellis	Malone	Smith
Bolton	Fine	Manley	Snell
Bowers	Foshee	Marr	Starnes
Brannan	Gafford	Mays	Steagall
Brassell	Garrett	McDonald	Stembridge
Brown	Gloor	McElhaney	Stubbs
Burgreen	Graham	Meade	Tuck
Cameron	Grainger	Meeks	Turnham
Cherner	Grayson	Melton	Waggoner
Collier	Hain	Merrill	Williams
Collins (C)	Hardin	Money	Wood
Collins (W)	Harris	Nettles	Wright
Cook (Coffee)	Higginbotham	Owens (W)	Yeilding
Crane	Hobbie		—82

And the bill:

H. 559. Relating to schools; authorizing the Alabama Institute for Deaf and Blind to provide education for non-residents of the state, the expense of such education to be borne by such persons.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Culver	Holman	Owens (W.E.)
Agee	Dill	Jackson (F)	Paulk
Bank	Dobbs	Jones	Pennington
Bassett	Doss	Laxson	Perloff
Beck	Downing	Lybrand	Pruitt
Berryman (R)	Drake	Lyons	Robertson
Berryman (W)	Edington	Malone	Sessions
Blanton	Ellis	Manley	Smith
Bolton	Fine	Marr	Snell
Brannan	Foshee	Mathews	Starnes
Brassell	Gafford	Mays	Steagall
Brown	Garrett	McDonald	Stembridge
Burgreen	Gloor	McElhaney	Stubbs
Cameron	Graham	Meade	Tuck
Cherner	Grainger	Meeks	Turnham
Collier	Grayson	Melton	Waggoner
Collins (C)	Hain	Merrill	Williams
Collins (W)	Hardin	Money	Wood
Cook (Coffee)	Harris	Nettles	Wright
Crane	Higginbotham	Owens (W)	Yeilding
Crawford	Hobbie		—82

And the bill:

H. 560. To amend Act No. 542, H. B. 304, Regular Session 1955, an act relating to the blind and visually handicapped (Acts 1955, v. 2, p. 1197).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Nettles
Agee	Culver	Holman	Owens (W)
Bank	Dill	Jackson (F)	Owens (W.E.)
Bassett	Dobbs	Jackson (T)	Paulk
Beck	Doss	Jones	Pennington
Berryman (R)	Downing	Kilgore	Pruitt
Berryman (W)	Drake	Laxson	Robertson
Blanton	Edington	Lybrand	Sessions
Bolton	Ellis	Lyons	Smith
Bowers	Fine	Malone	Snell
Brannan	Foshee	Manley	Starnes
Brassell	Gafford	Marr	Steagall
Brown	Garrett	Mathews	Stembridge
Burgreen	Gloor	Mays	Tuck
Cameron	Graham	McCorquodale	Turnham
Cherner	Grainger	McElhaney	Waggoner
Collier	Grayson	Meade	Williams
Collins (C)	Hain	Meeks	Wood
Collins (W)	Hardin	Melton	Wright
Cook (Coffee)	Harris	Merrill	Yeilding
Crane	Higginbotham	Money	—83

And the bill:

H. 561. To amend Act No. 543, H. 303, Regular Session 1955, an act authorizing and providing for the operation of stands in buildings and on properties of the State of Alabama, its agencies, institutions, and political subdivisions by blind persons (Acts 1955, v. 2, p. 1200).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Owens (W.E.)
Agee	Dobbs	Jackson (F)	Paulk
Bank	Doss	Jackson (T)	Pennington
Bassett	Downing	Jones	Perloff
Beck	Drake	Laxson	Pruitt
Berryman (R)	Edington	Lybrand	Robertson
Berryman (W)	Ellis	Lyons	Sessions
Blanton	Fine	Malone	Shumate
Bolton	Foshee	Manley	Slate
Bowers	Gafford	Marr	Smith
Brannan	Garrett	Mathews	Snell
Brassell	Gloor	Mays	Starnes
Brown	Graham	McCorquodale	Steagall
Burgreen	Grainger	McDonald	Stembridge
Cameron	Grayson	McElhaney	Stubbs
Cherner	Hain	Meade	Tuck
Collier	Hardin	Meeks	Turnham
Collins (C)	Harris	Melton	Waggoner
Collins (W)	Haygood	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Crane	Hill	Nettles	Wright
Crawford	Hobbie	Owens (W)	Yeilding
Culver			

—89

MOTION TO BRING UP H. 635 GRANTED

On motion of Mr. House, the rules were suspended and permission granted to bring up H. 635 out of order.

Yeas 73; Nays 7.

Yeas:

Mr. Speaker	Crawford	Hill	Owens (W)
Adwell	Culver	Hobbie	Paulk
Agee	Dill	Holman	Pearson
Bank	Dobbs	House	Pennington
Bassett	Doss	Jackson (F)	Pruitt
Beck	Downing	Jackson (T)	Sessions
Berryman (R)	Drake	Jones	Slate
Blanton	Ellis	Kilgore	Smith
Bolton	Fine	Laxson	Snell
Bowers	Foshee	Manley	Starnes
Brannan	Gafford	Marr	Steagall
Brassell	Gloor	Mays	Stembridge
Burgreen	Grainger	McCorquodale	Stubbs
Cameron	Grayson	McElhaney	Tuck
Cherner	Hain	Meade	Waggoner
Collins (W)	Hardin	Meeks	Wood
Cook (Coffee)	Harris	Merrill	Wright
Cook (Jefferson)	Higginbotham	Money	Yeilding
Crane			

—73

Nays:

Messrs.:	Graham	Malone	Nettles
Garrett	Lyons	Melton	Turnham

—7

And the bill:

H. 635. (with amendment): To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts, 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinics operated by governing boards of instrumentalities of the State, counties and municipalities.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend title of House Bill 635 by striking the following:

"operated by governing boards of instrumentalities of the State, counties and municipalities." and adding after the word clinics, the following: "boards".

And the amendment was adopted.

Yeas 79; Nays 4.

Yeas:

Mr. Speaker	Crane	Higginbotham	Owens (W)
Adwell	Culver	Hill	Paulk
Agee	Dill	Hobbie	Pearson
Bank	Dobbs	Holman	Pennington
Bassett	Doss	House	Pruitt
Beck	Downing	Jackson (F)	Sessions
Berryman (R)	Drake	Jackson (T)	Shumate
Berryman (W)	Edington	Jones	Slate
Blanton	Ellis	Kilgore	Smith
Bolton	Fine	Laxson	Starnes
Bowers	Foshee	Lybrand	Steagall
Brannan	Gafford	Malone	Stembridge
Brassell	Gloor	Manley	Stubbs
Brown	Graham	Mays	Tuck
Burgreen	Grainger	McElhaney	Weeks
Cameron	Grayson	Meade	Williams
Cherner	Hain	Meeks	Wood
Collier	Hardin	Melton	Wright
Collins (W)	Harper	Merrill	Yeilding
Cook (Jefferson)	Harris	Money	

—79

Nays:

Messrs.:	Marr	Nettles	Turnham
Lyons			

—4

And the bill, H. 635, as thus amended:

H. 635. To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts, 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinics boards.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 6.

Yeas:

Mr. Speaker	Culver	Higginbotham	Owens (W.E.)
Agee	Dill	Hobbie	Paulk
Bank	Dobbs	Holladay	Pearson
Bassett	Doss	Holman	Pennington
Beck	Downing	House	Pruitt
Berryman (R)	Drake	Jackson (F)	Sessions
Berryman (W)	Edington	Jones	Shumate
Blanton	Ellis	Kilgore	Slate
Bolton	Fine	Laxson	Smith
Brannan	Foshee	Lybrand	Snell
Brassell	Gafford	Malone	Starnes
Brown	Graham	Manley	Steagall
Burgreen	Grainger	Mays	Stembridge
Cameron	Grayson	McElhaney	Stubbs
Cherner	Hain	Meade	Tuck
Collier	Hardin	Melton	Weeks
Collins (W)	Harper	Merrill	Wood
Cook (Jefferson)	Harris	Money	Wright
Crane	Haygood	Owens (W)	Yeilding

—76

Nays:

Messrs.:	Lyons	Meeks	Turnham
Garrett	Marr	Nettles	

—6

MOTION TO BRING UP H. 462 LOST

The motion of Mr. House to suspend the rules and bring up H. 462 out of order was lost.

Yeas 34; Nays 35.

Yeas:

Mr. Speaker	Crane	McElhaney	Smith
Bank	Culver	Meade	Starnes
Beck	Dill	Meeks	Tuck
Berryman (W)	Doss	Money	Waggoner
Blanton	Drake	Nettles	Watkins
Brannan	Hill	Owens (W.E.)	Weeks
Burgreen	Holman	Perloff	Wright
Collins (W)	Kilgore	Slate	Yeilding
Cook (Coffee)	Marr		

—34

Nays:

Messrs.:	Crawford	Hardin	Melton
Agee	Dobbs	Harper	Owen (Baldwin)
Bassett	Downing	Harris	Owens (W)
Berryman (R)	Edington	Higginbotham	Paulk
Bolton	Foshee	Jackson (F)	Robertson
Bowers	Gafford	Jackson (T)	Steagall
Brassell	Garrett	Laxson	Stembridge
Cameron	Graham	Malone	Stubbs
Collins (C)	Grainger	Mays	Turnham

—35

MOTION GRANTED TO BRING UP H. 514

On motion of Mr. Meade, permission was granted to bring up H. 514 out of order.

And the bill:

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act. of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 3.

Yeas:

Mr. Speaker	Downing	Jones	Pennington
Agee	Drake	Kilgore	Perloff
Bank	Edington	Laxson	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Fine	Malone	Slate
Berryman (R)	Foshee	Manley	Smith
Berryman (W)	Garrett	Marr	Snell
Blanton	Graham	Mays	Starnes
Brannan	Grainger	McCorquodale	Steagall
Brassell	Grayson	McElhaney	Stembridge
Brown	Hain	McLain	Stubbs
Burgreen	Hardin	Meade	Tuck
Cameron	Harper	Meeks	Turnham
Collier	Harris	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Weeks
Crane	Hill	Owens (W)	Williams
Crawford	Hobbie	Owens (W.E.)	Wood
Culver	Holman	Paulk	Wright
Dill	Jackson (F)	Pearson	Yeilding

—80

Nays: Messrs. Cherner, Collins (C) and Gafford —3

MOTION TO BRING UP BILLS OUT OF ORDER GRANTED

On motion of Mr. Springer, the rules were suspended and permission granted to bring up H. 408, H. 409, H. 410, H. 411 and H. 412 out of order.

Yeas 67; Nays 5.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff	
Adwell	Drake	Laxson	Pruitt	
Agee	Edington	Lybrand	Slate	
Bank	Fine	Manley	Smith	
Bassett	Gloor	Marr	Snell	
Beck	Graham	Mays	Starnes	
Berryman (W)	Hain	McElhaney	Steagall	
Brannan	Hardin	Meade	Stembridge	
Brassell	Harper	Meeks	Stubbs	
Burgreen	Harris	Melton	Tuck	
Cameron	Higginbotham	Merrill	Turnham	
Cherner	Hill	Money	Waggoner	
Collier	Hobbie	Nettles	Weeks	
Collins (W)	Holladay	Owen (Baldwin)	Williams	
Cook (Coffee)	Holman	Owens (W)	Wood	
Crane	Jackson (F)	Paulk	Young	
Dill	Jones	Pearson		—67

Nays:

Messrs.:	Garrett	Owens (W.E.)	Robertson	
Culver	Malone			—5

BILLS ON THIRD READING RESUMED

And the bill:

H. 408. To amend Sections 1, 2, 3, and 4 of Act No. 591, H. 140, Page 828, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Crane	Hobbie	Owen (Baldwin)	
Adwell	Crawford	Holladay	Owens (W)	
Agee	Dill	Holman	Paulk	
Bank	Dobbs	Jackson (F)	Pearson	
Bassett	Downing	Jackson (T)	Perloff	
Beck	Drake	Jones	Pruitt	
Berryman (R)	Edington	Kilgore	Sessions	
Berryman (W)	Ellis	Laxson	Slate	
Blanton	Fine	Lybrand	Smith	
Bolton	Foshee	Lyons	Starnes	
Bowers	Gafford	Malone	Steagall	
Brannan	Garrett	Manley	Stembridge	
Brassell	Gloor	Marr	Stubbs	
Brown	Graham	Mays	Tuck	
Burgess	Hain	McCorquodale	Waggoner	
Burgreen	Hardin	McElhaney	Watkins	
Cameron	Harper	Meeks	Williams	
Cherner	Harris	Melton	Wood	
Collier	Headley	Merrill	Wright	
Collins (W)	Higginbotham	Money	Yeilding	
Cook (Coffee)	Hill	Nettles	Young	
				—84

Nays: Messrs. Owens (W. E.) and Robertson —2

And the bill:

H. 409. To amend Sections 1, 2, 3 and 4 of Act #590, H. 138, Page 827, Volume 2, Acts of Alabama 1957, relating to the provisions of a state scholarship program to promote the education of nurses; and making appropriations therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Nettles
Agee	Culver	Hill	Owen (Baldwin)
Bank	Dill	Hobbie	Owens (W)
Bassett	Dobbs	Holladay	Paulk
Beck	Downing	Holman	Pearson
Berryman (R)	Edington	Jackson (F)	Perloff
Berryman (W)	Ellis	Jackson (T)	Pruitt
Blanton	Fine	Kilgore	Sessions
Bolton	Foshee	Laxson	Slate
Bowers	Gafford	Lybrand	Smith
Brannan	Garrett	Lyons	Starnes
Brown	Gloor	Malone	Steagall
Burgess	Graham	Marr	Stembridge
Burgreen	Grainger	Mays	Tuck
Cameron	Grayson	McCorquodale	Waggoner
Cherner	Hain	McElhaney	Williams
Collier	Hardin	Meeks	Wood
Collins (W)	Harper	Melton	Wright
Cook (Coffee)	Harris	Merrill	Yeilding
Cook (Jefferson)	Headley	Money	Young
Crane			—81

Nays: Messrs. Owens (W. E.) and Stubbs —2

And the bill:

H. 410. To provide a state scholarship program to promote the education of nurses at the Lurleen B. Wallace School of Nursing, Jacksonville State University; and making an appropriation therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nay 1.

Yeas:

Mr. Speaker	Collier	Gloor	Kilgore
Agee	Collins (W)	Graham	Laxson
Bank	Cook (Coffee)	Grainger	Lybrand
Bassett	Cook (Jefferson)	Grayson	Lyons
Beck	Crane	Hain	Malone
Berryman (R)	Crawford	Hardin	Manley
Berryman (W)	Dill	Harper	Marr
Blanton	Dobbs	Harris	Mathews
Bolton	Doss	Headley	Mays
Bowers	Downing	Higginbotham	McCorquodale
Brannan	Drake	Hill	McElhaney
Brassell	Edington	Hobbie	Meade
Burgess	Ellis	Holladay	Meeks
Burgreen	Fine	Holman	Melton
Cameron	Gafford	Jackson (F)	Merrill
Cherner	Garrett	Jackson (T)	Money

Nettles	Pruitt	Stembridge	Williams
Owen (Baldwin)	Robertson	Stubbs	Wood
Owens (W)	Sessions	Tuck	Wright
Paulk	Smith	Waggoner	Yeilding
Pearson	Starnes	Weeks	Young
Perloff	Steagall		—86

Nay: Mr. Owens (W. E.) —1

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Thursday, June 17, 1969, at 12 o'clock Noon, was lost.

Yeas 38; Nays 49.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Money
Bassett	Downing	Lyons	Owen (Baldwin)
Beck	Drake	Malone	Shumate
Blanton	Fine	Manley	Slate
Bowers	Gafford	Mathews	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grayson	McElhaney	Tuck
Burgess	Hain	Meade	Weeks
Crane	Hardin	Melton	Young
Dill	Holman		—38

Nays:

Messrs.:	Crawford	Holladay	Pearson
Adwell	Culver	Jackson (F)	Robertson
Agee	Edington	Jones	Sessions
Bank	Ellis	Laxson	Smith
Berryman (R)	Foshee	Lybrand	Springer
Berryman (W)	Garrett	Marr	Stubbs
Bolton	Gloor	McCorquodale	Turnham
Brown	Grainger	McLain	Waggoner
Burgreen	Harris	Merrill	Watkins
Cameron	Headley	Nettles	Wood
Cherner	Higginbotham	Owens (W)	Wright
Collins (W)	Hill	Paulk	Yeilding
Cook (Jefferson)	Hobbie		—49

BILLS ON THIRD READING RESUMED

And the bill:

H. 411. To provide a state scholarship program to promote the education of nurses in the junior colleges of Alabama operated under the jurisdiction of the State Board of Education; and making an appropriation therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nay 1.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Adwell	Beck	Bolton	Burgreen
Agee	Berryman (R)	Brannan	Cameron
Bank	Berryman (W)	Brassell	Collier

Collins (W)	Grainger	Lyons	Perloff
Cook (Coffee)	Grayson	Malone	Pruitt
Cook (Jefferson)	Hain	Manley	Sessions
Crane	Hardin	Marr	Smith
Crawford	Harper	Mathews	Starnes
Dill	Harris	Mays	Steagall
Dobbs	Headley	McElhaney	Stembridge
Doss	Higginbotham	Meade	Stubbs
Downing	Hill	Meeks	Tuck
Drake	Hobbie	Melton	Turnham
Edington	Holladay	Money	Waggoner
Ellis	Holman	Nettles	Weeks
Fine	Jackson (F)	Owen (Baldwin)	Williams
Foshee	Jackson (T)	Owens (W)	Wright
Garrett	Kilgore	Paulk	Yeilding
Gloor	Laxson	Pearson	Young
Graham	Lybrand		

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Nay: Mr. Owens (W. E.) —1

And the bill:

H. 412. To authorize and direct the Board of Nursing created under Act 867, S. 210, Regular Session 1965 (Acts 1965, P. 1615), to contract for and to provide technical assistance and consultant services to to the State Board of Education for certain junior colleges engaged in, or to become engaged in, teaching and training professional nurses, establishing procedures for providing such assistance, and making appropriations therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Culver	Hobbie	Owens (W)
Agee	Dill	Holladay	Owens (W.E.)
Bank	Dobbs	Holman	Paulk
Bassett	Doss	Jackson (F)	Pearson
Beck	Downing	Kilgore	Perloff
Berryman (R)	Drake	Laxson	Pruitt
Berryman (W)	Edington	Lybrand	Robertson
Blanton	Ellis	Lyons	Sessions
Bolton	Fine	Malone	Shumate
Brannan	Foshee	Manley	Smith
Brassell	Gafford	Marr	Starnes
Brown	Garrett	Mathews	Steagall
Burgess	Graham	Mays	Stembridge
Burgreen	Grainger	McElhaney	Stubbs
Cherner	Grayson	Meade	Tuck
Collier	Hain	Meeks	Turnham
Collins (W)	Hardin	Melton	Waggoner
Cook (Coffee)	Harper	Merrill	Weeks
Cook (Jefferson)	Harris	Money	Williams
Crane	Higginbotham	Nettles	Wright
Crawford	Hill	Owen (Baldwin)	Young

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Nays: Messrs. Gloor and Jackson (T) —2

MOTION TO BRING UP H. 92 GRANTED

On motion of Mr. McLain, the rules were suspended and permission granted to bring up H. 92 out of order.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Dobbs	Jones	Pennington
Agee	Doss	Laxson	Perloff
Bank	Downing	Lybrand	Pruitt
Bassett	Drake	Lyons	Robertson
Beck	Edington	Malone	Sessions
Berryman (R)	Ellis	Manley	Shumate
Berryman (W)	Fine	Marr	Slate
Blanton	Foshee	Mathews	Smith
Bolton	Garrett	Mays	Springer
Brannan	Gloor	McCorquodale	Starnes
Brassell	Graham	McElhaney	Steagall
Brown	Grainger	McLain	Stembridge
Burgess	Hain	Meade	Stubbs
Burgreen	Hardin	Melton	Tuck
Collier	Harper	Money	Turnham
Collins (W)	Harris	Nettles	Weeks
Cook (Coffee)	Headley	Owen (Baldwin)	Williams
Cook (Jefferson)	Hobbie	Owens (W)	Wright
Crane	Holladay	Owens (W.E.)	Yeilding
Crawford	Holman	Paulk	Young
Culver	Jackson (F)		—86

UNANIMOUS CONSENT GRANTED TO CO-SPONSOR

Unanimous consent was granted to Mr. Pearson that he be added as co-sponsor on H. 408, H. 409, H. 410, H. 411 and H. 412.

BILL ON THIRD READING RESUMED

And the bill:

H. 92. (with substitute): To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legisla-

ture of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Be It Enacted by the Legislature of Alabama:

Section 1. Amendment of Act No. 224, 1967 Special Session. Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, which relates to the distribution and use of proceeds from that certain excise tax, referred to in the said act as (and herein called) the "highway gasoline tax," and consisting of (a) the excise tax levied under Section 647 of Title 51 of the Code of Alabama of 1940, as amended, exclusive of those portions of the said tax in respect of aviation fuel and marine gasoline, as those terms are used in the said Section 647, and (b) the excise tax levied by Section 674 adopted at the 1961 Regular Session of the Legislature, as amended, exclusive of that portion of the said tax in respect of diesel fuel, is hereby amended as follows:

(A) Section 5 of the said Act No. 224 shall be and hereby is amended to read as follows:

Section 5. Disposition of Sums Allocated and Apportioned to Counties. The amounts allocated or apportioned to each county pursuant to each of Sections 3 and 4 of this Act shall be disposed of as follows: (a) Ten per centum (10%) of the amount so allocated or apportioned to each county shall be distributed among the municipalities in the county with respect to which the allocation or apportionment is made, each such distribution among the said municipalities to be on the basis of the ratio of the population of each such municipality to the total population of all municipalities in the applicable county according to the then next preceding federal decennial census; and (b) the remaining portion of the amount so allocated or apportioned to each county shall be distributed to the county with respect to which such allocation or apportionment is made. The distributions provided for in this paragraph shall be made monthly.

The population of any municipality incorporated subsequent to the taking of the then next preceding federal decennial census shall be deemed to be the population shown by the census for that municipality taken pursuant to the requirements of Section 13 of Title 37 of the Code of Alabama of 1940. Any municipality incorporated after September 30, 1967, shall not participate in the distribution provided for in this section until the fiscal year next succeeding the fiscal year during which it is incorporated, the first distribution to such municipality to be made in respect of receipts of the highway gasoline tax by the State during October of the fiscal year next succeeding the said incorporation.

When requested so to do by any municipality, the highway department may at its discretion make available the services and advice of its engineers and other employees with respect to any work for which that municipality proposes to expend moneys distributed to it under this act. Any such services and advice that may be so made available shall be provided under such terms and conditions as may be mutually agreeable to the highway department and the municipality.

(B) Section 7 of the said Act No. 224 shall be and hereby is amended to read as follows:

Section 7. Use of Net Tax Proceeds for Highway Purposes. Whereever in this act any portion of the net tax proceeds is provided to be applied or used for highway purposes, the same shall be used as follows:

(a) Where the use is by the highway department, such use shall, with the approval of the Governor, be for the construction of public roads and bridges in the state, the maintenance of public roads and bridges on the state highway system, the equipment and preparation of convicts for use upon the public roads and bridges in the state, the maintenance of such convicts while at work upon such roads and bridges, the compensation to the state for the said use of such convicts, and for such other public road and bridge purposes in the state as may be authorized by the highway department with the approval of the Governor;

(b) Where the use is by a county, such use shall be for transportation planning, the construction, reconstruction, maintenance, widening, alteration and improvement of public roads and bridges as is now or may hereafter be provided by law, including payment of the principal of and interest on any securities at any time issued by the county pursuant to law for payment of which all or any of the net tax proceeds were or may be lawfully pledged, and such use may also be for the purpose and subject to the provisions contained in Act No. 838 adopted at the 1953 Regular Session of the Legislature;

(c) Where the use is by a municipality, such use shall be for transportation planning, the construction, reconstruction, maintenance, widening, alteration and improvement of public roads, bridges, streets and other public ways, including payment of the principal of and interest on any securities at any time issued by the municipality pursuant to law for the payment of which any part of the net tax proceeds were or may be lawfully pledged; provided, that no part of the net tax proceeds referred to in this section shall be expended contrary to the provisions of the constitution; and provided further that funds distributed to municipalities under the provisions of this Act shall not be commingled with other funds of the municipality and shall be kept and disbursed by such municipality from a special fund only for the purposes hereinabove provided.

Section 2. Disposition of Accrued Highway Gasoline Tax Proceeds Allocated to Municipalities Prior to the Effective Date of this Act. The State Treasurer shall, within thirty days after the effective date of this act, pay over and distribute to each municipality all monies theretofore allocated and accrued to the said municipality under the provisions of Act No. 224, except those monies which, by the terms of a written agreement theretofore executed between the highway department and a municipality, is due and payable to the highway department. The highway department shall, within five days after the effective date of this act, file with the state treasurer a certificate, signed by the highway director, showing the amount of money due to the highway department under the terms of the aforesaid written agreement and the highway director shall furnish a copy of the said certificate to the applicable municipality. The state treasurer shall, within thirty days after receipt of the said certificate, pay over to the highway department, out of monies allocated to the said applicable municipality under the said Act 224, prior to the effective date of this act, the amount stated in the said certificate and shall pay over to the said municipality any residue of monies allocated to such municipality as aforesaid. None of the provisions of this section shall be deemed to prevent the highway department and any municipality from entering into any arrangement mutually agreeable to them for payment of any compensation to the highway department that the municipality may have agreed to make

in any contract entered into prior to the effective date of this act. The highway department and any such municipality are hereby specifically authorized to enter into any other arrangement, and in the event mutually satisfactory arrangements for payment of any such compensation are made between the said department and any municipality, the department shall not file the certificate hereinabove provided for with respect to that municipality.

Section 3. Provision for Continued Reimbursement of the Highway Department from Funds accruing under Act 224 to Fulfill Prior Agreements and Future Obligations. Where the funds accrued to a municipality, under Act 224, are insufficient to pay the obligation of a municipality for services completed, in progress, or to be accomplished as established by terms of prior agreements with the highway department, the state treasurer shall each month pay into the highway department from funds accruing under Act 224 to such municipality such amount due the highway department until the services are completed and the obligation of the municipality is paid in full, and shall pay any residue, after final payment to the highway department, over to the said municipality.

Where agreements between the highway department and a municipality are executed subsequently to the effective date of this act for services to the municipality, payment for such services may be made by the state treasurer from funds accruing to the credit of the said municipality directly to the highway department in accordance with the terms of the agreement.

Section 4. All agreements between the highway department and the municipalities entered into under the provisions of Act 224 in which highway department funds, forces, and/or equipment are not involved are hereby cancelled upon the effective date of this act. Where the state highway department has received an administrative cost of five per cent (5%) under such agreements the highway department shall, within 30 days after the effective date of this act, pay to the state treasurer five per cent (5%) of the remaining project budget balance after any special engineering cost has been deducted. Special engineering is defined as any engineering work performed over and above routine checking of plans and usual administrative procedures. The state treasurer shall, when such funds have been received from the highway department, remit such funds to the appropriate municipality.

Section 5. This Act Inapplicable Where Section 5 of Act No. 224 has been Superseded by Local Act or General Act of Local Application. The provisions of this act are not intended to be referable to, and they shall have no application with respect to, the distribution of the highway gasoline tax among any county and the municipalities therein pursuant to the provisions of any local act or general act of local application which by its terms supersedes Section 5 of the said Act No. 224.

Section 6. Severability. The provisions of this act are hereby declared severable. If any part of this act should be held invalid, such holding shall not affect the part which remains.

Section 7. Effective Date. This act shall become effective on the first day of the second month following its being signed by the Governor or otherwise becoming law.

And the substitute was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Paulk
Agee	Dill	Jones	Pearson
Bank	Dobbs	Kilgore	Pennington
Bassett	Doss	Laxson	Perloff
Beck	Downing	Lybrand	Pruitt
Berryman (R)	Drake	Lyons	Robertson
Berryman (W)	Edington	Malone	Sessions
Blanton	Ellis	Manley	Slate
Bolton	Fine	Marr	Smith
Brannan	Foshee	Mathews	Snell
Brassell	Garrett	Mays	Starnes
Brown	Graham	McCorquodale	Steagall
Burgess	Grainger	McElhaney	Stembridge
Burgreen	Grayson	McLain	Stubbs
Cherner	Hain	Meade	Tuck
Collier	Hardin	Melton	Turnham
Collins (W)	Harper	Money	Weeks
Cook (Coffee)	Harris	Nettles	Williams
Cook (Jefferson)	Headley	Owen (Baldwin)	Wright
Crane	Hobbie	Owens (W)	Yeilding
Crawford	Holladay	Owens (W.E.)	Young

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And said bill, H. 92, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Agee	Doss	Lybrand	Perloff
Bank	Downing	Lyons	Pruitt
Beck	Drake	Malone	Robertson
Berryman (R)	Edington	Manley	Sessions
Berryman (W)	Ellis	Marr	Shumate
Blanton	Fine	Mathews	Slate
Bolton	Foshee	Mays	Smith
Brannan	Garrett	McCorquodale	Snell
Brassell	Graham	McElhaney	Starnes
Brown	Grainger	McLain	Steagall
Burgess	Hain	Meade	Stembridge
Burgreen	Harper	Melton	Stubbs
Collier	Harris	Money	Tuck
Collins (W)	Headley	Nettles	Turnham
Cook (Coffee)	Hobbie	Owen (Baldwin)	Weeks
Cook (Jefferson)	Holladay	Owens (W)	Williams
Crane	Jackson (F)	Owens (W.E.)	Wright
Culver	Jones	Paulk	Yeilding
Dill	Kilgore	Pearson	Young

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MOTION TO BRING UP H. 90 GRANTED

On motion of Mr. McLain, the rules were suspended and permission granted to bring up H. 90 out of order.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Culver	Holladay	Owens (W)
Agee	Dobbs	Holman	Owens (W.E.)
Bank	Doss	Jackson (F)	Paulk
Bassett	Downing	Jackson (T)	Pearson
Beck	Drake	Jones	Pennington
Berryman (R)	Edington	Kilgore	Perloff
Berryman (W)	Ellis	Laxson	Pruitt
Blanton	Fine	Lybrand	Robertson
Bolton	Foshee	Lyons	Sessions
Brannan	Garrett	Malone	Shumate
Brassell	Gloor	Manley	Smith
Brown	Graham	Marr	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McElhaney	Steagall
Cherner	Hardin	McLain	Stembridge
Collier	Harper	Meade	Stubbs
Collins (W)	Harris	Meeks	Tuck
Cook (Coffee)	Headley	Melton	Turnham
Cook (Jefferson)	Higginbotham	Money	Weeks
Crane	Hill	Nettles	Williams
Crawford	Hobbie	Owen (Baldwin)	Wright

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BILLS ON THIRD READING RESUMED

And the bill:

H. 90. (with substitute): To amend Section 3 of Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1603) an act to create the Alabama Space Science Exhibit Commission so as to exempt certain employees of the commission from the provisions of the state merit system act; to provide that such employees shall be eligible to participate in the state's health insurance plan and benefits for state employees and in the state employees' retirement system.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605), an act to create the Alabama Space Science Exhibit Commission; amending Section 3 of such act so as to exempt certain employees of the Commission from the provisions of the state merit system act, to provide that such employees shall not be eligible to participate in the state's health insurance plan and benefits for state employees or in the state employees' retirement system; and amending Section 8 of such act so as to define further the duties, powers and authority of the commission, specifically with reference to programs for promoting and advertising the exhibits and facilities provided by this act, to purchasing by the commission and to the operation of concessions on the grounds and facilities operated by the commission.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605), an act relating to the Alabama Space Science Exhibit Commission, is amended to read as follows:

"Section 3. The commission shall be authorized:

"1. To investigate and select an available site for housing the exhibits, including the surrounding grounds, in cooperation with the Department of The Army and the community, taking into consideration all pertinent factors affecting the suitability of such site;

"2. to acquire by rent or lease agreement or otherwise, the necessary housing facilities; and to establish, improve and enlarge the available facility, including providing it with necessary equipment, furnishings, landscaping, and related facilities, including parking areas and ramps, roadways, sewers, curbs, and gutters;

"3. to enter into such contracts and cooperative agreements with the local, state, and federal government, with agencies of such governments including the Department of The Army and the National Aeronautics and Space Administration, with private individuals, corporations, associations, and other organizations, as the commission may deem necessary or convenient to carry out the purpose of this Act, with such contracts and agreements to include leases to private industry;

"4. to borrow money from private sources or such other source as may be acceptable to the commission under such terms and conditions as may be provided by law, and, in order to provide security for the repayment of any such private loans, the commission shall have the authority to pledge such future revenues from admissions and any other sources as may from time to time, be necessary or desirable;

"5. to issue and sell, subject to the approval of the Governor, interest bearing general obligation bonds not in execess of one million, nine hundred thousand dollars ($1,900,000.00) in principal amount, as authorized by constitutional amendment. Such bonds shall be general obligations of the State of Alabama with full faith and credit and taxing power of the State to be pledged to the prompt and faithful payment of the principal of the bonds and the interest thereon. The proceeds from the sale of such bonds shall be used exclusively for the purpose of paying the expenses incurred in the sale and issuance thereof and for the construction, establishment, improvement or enlargement and equipment of building facilities and related grounds including the renewal or replacement of structural parts of such facility, but not including the purchase of the site for such facility;

"6. to issue and sell at any time and from time to time its revenue bonds for the purpose of providing funds to acquire, enlarge, improve, equip and maintain a facility, and for the payment of obligations incurred for such purposes. The principal and interest on any such revenue bonds shall be payable solely out of the revenues derived from the project;

"7. to make such contracts in the issuance of its bonds as may seem necessary or desirable to assure their marketability and to provide for their retirement by a pledge of all or any revenue which may come to the commission from the investment of the proceeds of the sale of such bonds or from any other source whatsoever;

"8. to accept public or private gifts, grants and donations;

"9. to acquire property by purchase, lease, gift, or license, but not to include the purchase of a site for the facility;

"10. to allocate and expend funds from all donations, income and revenue from any source whatsoever coming into its treasury, for the fulfillment and accomplishment of its duties and responsibilities in such manner as may be necessary and appropriate for the perfection of the purposes of this Act;

"11. to sell, convey, transfer, lease or donate any property, franchise, grant easement, license or lease or interest therein which it may own, and to transfer, assign, sell, convey or donate any right, title or interest which it may have in any lease, contract, agreement, license or property;

"12. to employ an executive director and such additional personnel as may be necessary to accomplish the purposes of this Act. The executive director and such additional personnel as may be employed by the commission will serve at the pleasure of the commission. The commission shall fix the compensation of the executive director and such additional personnel and such compensation shall be paid from the funds of the commission. The commission shall designate the duties and authority of the executive director and such additional personnel. The executive director and such additional personnel shall not be subject to the provisions of the state merit system act and they shall not be eligible for participation in the state health insurance plan and benefits for state employees as provided in Act No. 833, S. 128, Regular Session 1965, as amended, (Acts 1965, p. 1564) and they shall not be eligible for participation in the state employees' retirement system;

"13. to make such rules and regulations as the commission may deem necessary and desirable to provide for the operation, management and control of the facility in cooperation with the Department of The Army and with the National Aeronautics and Space Administration;

"14. to perform such other acts necessary or incidental to the accomplishment of the purposes of this Act whether or not specifically authorized in this section, and not otherwise prohibited by law."

Section 2. Section 8 of Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1603), an act relating to the Alabama Space Science Exhibit Commission, is amended to read as follows:

"Section 8. The provisions of this Act shall be construed liberally, it being the purpose to provide in this State appropriate housing facilities for displaying to the general public exhibits of the Department of The Army and of the National Aeronautics and Space Administration and for providing for the management and control of that portion of the display furnished and supplied by the National Aeronautics and Space Administration by such means as may be feasible and agreed upon.

"In view of the unique character and complexity of the duties and responsibilities imposed on the Commission by this Act, it is hereby specifically provided that the Commission shall have, in addition to the power and authority enumerated in Section 3, supra, the right, power and authority to (1) develop and institute a program of promotion and advertising of the exhibits and facilities provided for by this Act, said program of promotion and advertising to be conducted by the Commission both within and without the State in such manner and to such extent as may be deemed economically advisable and appropriate by the Commission; (2) to purchase and acquire items of tangible personal property on a competitive bid basis in the manner prescribed by law for the purchase of such items by state trade schools, state junior colleges, state colleges and universities under the supervision and control of the State Board of Education, the city and county boards of education, the county boards of revenue or other similar county governing

bodies, and the governing bodies of the municipalities of the State and the governing boards of instrumentalities of counties and municipalities under Act No. 217 adopted at the Special Session of the Legislature of Alabama of 1967, as amended; and (3) to itself operate, or in its discretion enter into lease agreement with a person or agency of its choosing to operate all concessions located in or on the grounds and facilities operated by the Commission, any such lease agreement to be so designed as to provide maximum services and convenience to the patrons of the exhibit center and to provide reasonable revenue return to the Commission."

Section 3. All laws or parts of laws, local, special or general, in conflict with the provisions of this Act are hereby repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W.E.)
Agee	Downing	Jackson (T)	Paulk
Bassett	Edington	Jones	Pearson
Beck	Ellis	Laxson	Pennington
Berryman (R)	Fine	Lybrand	Perloff
Berryman (W)	Foshee	Lyons	Pruitt
Blanton	Gafford	Malone	Robertson
Bolton	Garrett	Manley	Sessions
Brannan	Gloor	Marr	Shumate
Brassell	Graham	Mathews	Smith
Burgess	Grainger	Mays	Snell
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McElhaney	Steagall
Cherner	Hardin	McLain	Stembridge
Collier	Harper	Meade	Stubbs
Collins (W)	Harris	Meeks	Tuck
Cook (Coffee)	Higginbotham	Melton	Turnham
Cook (Jefferson)	Hill	Money	Weeks
Crane	Hobbie	Nettles	Williams
Crawford	Holladay	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dobbs			

—85

And said bill, H. 90, as thus amended:

To amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1805), an act to create the Alabama Space Science Exhibit Commission; amending Section 3 of such act so as to exempt certain employees of the Commission from the provisions of the state merit system act, to provide that such employees shall not be eligible to participate in the state's health insurance plan and benefits for state employees or in the state employees' retirement system; and amending Section 8 of such act so as to define further the duties, powers and authority of the commission, specifically with reference to programs for promoting and advertising the exhibits and facilities provided by this act, to purchasing by the commission and to the operation of concessions on the grounds and facilities operated by the commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owens (W)
Agee	Doss	Jackson (F)	Owens (W.E.)
Bank	Downing	Jackson (T)	Paulk
Bassett	Drake	Jones	Pearson
Beck	Edington	Laxson	Pennington
Berryman (R)	Ellis	Lybrand	Perloff
Berryman (W)	Fine	Lyons	Pruitt
Blanton	Foshee	Malone	Sessions
Bolton	Gafford	Manley	Shumate
Brannan	Garrett	Marr	Smith
Brassell	Gloor	Mathews	Snell
Burgess	Graham	Mays	Starnes
Burgreen	Grainger	McCorquodale	Steagall
Cameron	Grayson	McElhaney	Stembridge
Cherner	Hain	McLain	Stubbs
Collier	Hardin	Meade	Tuck
Collins (W)	Harper	Meeks	Turnham
Cook (Coffee)	Harris	Melton	Weeks
Cook (Jefferson)	Higginbotham	Merrill	Williams
Crane	Hill	Money	Wright
Crawford	Hobbie	Nettles	Yeilding
Culver	Holladay	Owen (Baldwin)	

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And the bill:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W)
Agee	Downing	Jones	Owens (W.E.)
Bank	Edington	Kilgore	Paulk
Bassett	Ellis	Laxson	Pearson
Beck	Fine	Lybrand	Pennington
Berryman (R)	Foshee	Lyons	Perloff
Berryman (W)	Gafford	Malone	Pruitt
Blanton	Garrett	Manley	Sessions
Bolton	Graham	Marr	Shumate
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Burgreen	Hain	McCorquodale	Starnes
Cameron	Hardin	McElhaney	Steagall
Cherner	Harris	McLain	Stembridge
Collier	Haygood	Meade	Stubbs
Collins (W)	Higginbotham	Meeks	Tuck
Cook (Coffee)	Hill	Melton	Turnham
Cook (Jefferson)	Hobbie	Merrill	Weeks
Crane	Holladay	Money	Williams
Crawford	Holman	Nettles	Wright
Culver	Jackson (F)	Owen (Baldwin)	Yeilding

—84

MOTION TO BRING UP H. 120 GRANTED

On motion of Mr. Collins (W), the rules were suspended and permission granted to bring up H. 120 out of order.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owens (W)
Agee	Doss	Jackson (T)	Owens (W.E.)
Bank	Downing	Jones	Paulk
Bassett	Edington	Kilgore	Pearson
Beck	Ellis	Laxson	Pennington
Berryman (R)	Fine	Lybrand	Perloff
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Bolton	Garrett	Manley	Smith
Brannan	Graham	Marr	Snell
Brassell	Grainger	Mathews	Starnes
Burgess	Grayson	Mays	Steagall
Burgreen	Hain	McCorquodale	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harris	Meeks	Tuck
Collier	Higginbotham	Melton	Turnham
Collins (W)	Hill	Merrill	Weeks
Cook (Coffee)	Hobbie	Nettles	Wright
Cook (Jefferson)	Holladay	Owen (Baldwin)	Yeilding
Crawford	House		—78

BILL ON THIRD READING RESUMED

And the bill:

H. 120. Relating to crimes and offenses: to prohibit certain trespass upon the property of institutions of higher education and to prohibit any interference with the peaceful conduct of the business of such institutions.

Was taken up.

Mr. Collins offered the following substitute to the bill, H. 120:

A BILL
TO BE ENTITLED
AN ACT

Relating to crimes and offenses: to prohibit certain trespass upon the property of schools and institutions of higher education and to prohibit any interference with the peaceful conduct of the business of such schools and institutions.

Be It Enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person on the grounds or campus of any elementary or secondary school or of any junior college, college or university in this state, hereafter referred to as "schools" and "institutions of higher education" or at or in any building or other facility owned, operated or controlled by the governing body of any such school or institution willfully to deny to students, officers, faculty employees and invitees of such school or institution any of the following:

(a) Lawful freedom of movement on the grounds or campus.

(b) Lawful use of the property, facilities or parts of any school or institution of higher education; or

(c) The right of lawful ingress or egress to the school's or the institution's physical facilities.

Section 2. It shall be unlawful for any person on the grounds or campus of any school or institution of higher education or at or in any

building or facility owned, operated or controlled by the governing body of any such school or institution willfully to impede the staff or faculty of such school or institution in the lawful performance of their duties, or willfully to impede a student of such school or institution in the lawful pursuit of his educational activities, through the use of restraint, abduction, coercion, intimidation, or when force and violence are present or threatened.

Section 3. It shall be unlawful for any person willfully to refuse or fail to leave the property of, or any building or facility owned, operated or controlled by the governing body of any school or institution of higher education upon being requested to do so by the chief administrative officer, or his designee, if such person is committing, or threatens to commit, any act which would disrupt, impair, interfere with or obstruct the lawful processes, procedure or functions of the school or institution.

Section 4. Any person convicted of a violation of any of the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not to exceed five hundred dollars, or imprisonment in the county jail for a period not to exceed one year, or by both such fine and imprisonment.

Section 5. Nothing in this act shall be construed to prevent any lawful assembly and peaceful and orderly petition for the redress or grievances, including any labor dispute between a school or an institution of higher education and its employees, or contractor or subcontractor thereof.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W.E.)
Agee	Downing	Jones	Paulk
Bank	Edington	Kilgore	Pearson
Bassett	Fine	Laxson	Pennington
Beck	Foshee	Lybrand	Perloff
Berryman (R)	Garrett	Lyons	Pruitt
Berryman (W)	Gloor	Malone	Robertson
Blanton	Graham	Manley	Sessions
Brannan	Grainger	Marr	Smith
Brassell	Grayson	Mathews	Starnes
Burgess	Hain	McCorquodale	Stembridge
Burgreen	Hardin	McElhaney	Stubbs
Cameron	Harris	Meeks	Tuck
Cherner	Haygood	Melton	Turnham
Collier	Higginbotham	Merrill	Weeks
Collins (W)	Hill	Money	Williams
Cook (Coffee)	Hobbie	Nettles	Wright
Crane	Holladay	Owen (Baldwin)	Yeilding
Crawford	Holman	Owens (W)	Young
Culver	Jackson (F)		—78

And the bill, H. 120, as thus amended:

Relating to crimes and offenses: to prohibit certain trespass upon the property of schools and institutions of higher education and to

prohibit any interference with the peaceful conduct of the business of such schools and institutions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Culver	Holman	Owens (W)
Agee	Downing	Jackson (F)	Owens (W.E.)
Bank	Drake	Jackson (T)	Paulk
Bassett	Edington	Jones	Pearson
Beck	Ellis	Kilgore	Pennington
Berryman (R)	Fine	Laxson	Perloff
Berryman (W)	Foshee	Lybrand	Pruitt
Blanton	Garrett	Lyons	Robertson
Bolton	Gloor	Malone	Sessions
Brannan	Graham	Manley	Shumate
Brassell	Grainger	Marr	Smith
Burgess	Grayson	Mathews	Starnes
Burgreen	Hain	McCorquodale	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harris	Meeks	Tuck
Collier	Haygood	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Weeks
Cook (Coffee)	Hill	Money	Wright
Cook (Jefferson)	Hobbie	Nettles	Yeilding
Crane	Holladay	Owen (Baldwin)	Young
Crawford			—81

ADJOURNMENT

On motion of Mr. Dill, the House adjourned until Thursday, June 19, 1969, at 12 o'clock Noon.

Yeas 51; Nays 39.

Yeas:

Mr. Speaker	Crawford	Laxson	Paulk
Bassett	Culver	Lyons	Pearson
Beck	Dill	Malone	Perloff
Berryman (R)	Doss	Manley	Pruitt
Blanton	Downing	Marr	Shumate
Bolton	Drake	Mathews	Slate
Brannan	Fine	Mays	Starnes
Brassell	Graham	McElhaney	Stembridge
Burgess	Grayson	Meade	Tuck
Burgreen	Hain	Melton	Weeks
Collier	Hardin	Money	Wood
Collins (W)	Holman	Owen (Baldwin)	Young
Crane	Kilgore	Owens (W)	—51

Nays:

Messrs.:	Ellis	Jackson (T)	Robertson
Adwell	Foshee	Jones	Sessions
Agee	Garrett	Lybrand	Smith
Bank	Gloor	McCorquodale	Springer
Berryman (W)	Grainger	McLain	Stubbs
Brown	Harris	Meeks	Turnham
Cameron	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Nettles	Watkins
Cook (Jefferson)	Hobbie	Owens (W.E.)	Wright
Edington	Jackson (F)	Pennington	Yeilding
			—39

THIRTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 19, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Lester Spencer, Minister, Forest Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Adwell	Doss	Jones	Pennington
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lybrand	Sessions
Berryman (R)	Foshee	Lyons	Shumate
Berryman (W)	Gafford	Malone	Slate
Blanton	Garrett	Manley	Smith
Bowers	Gloor	Marr	Snell
Brannan	Graham	Mathews	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McCorquodale	Steagall
Burgess	Hain	McDonald	Stembridge
Burgreen	Hardin	McElhaney	Stubbs
Cameron	Harper	McLain	Tuck
Cherner	Harris	Meade	Turnham
Collier	Haygood	Meeks	Waggoner
Collins (C)	Headley	Melton	Watkins
Collins (W)	Higginbotham	Merrill	Weeks
Cook (Coffee)	Hill	Money	Williams
Cook (Jefferson)	Hobbie	Nettles	Wood
Crane	Holladay	Owen (Baldwin)	Wright
Crawford	Holman	Owens (W)	Yeilding
Culver	House	Owens (W.E.)	Young
Dill	Jackson (F)	Paulk	—103

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twelfth legislative day was approved.

LEAVE OF ABSENCE

On motion of Mr. Watkins, leave of absence was granted to Mr. Bolton due to personal business.

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 55. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Tuesday, June 24, 1969, and when they adjourn on Tuesday, June 24, 1969, they adjourn to meet again on Wednesday, June 25, 1969, and when they adjourn on Wednesday, June 25, 1969, they adjourn to meet again on Tuesday, July 8, 1969.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 55 was adopted.

LEAVE OF ABSENCE

On motion of Mr. Merrill, leave of absence was granted to Mr. Fine for personal business.

RESOLUTION

The following resolution was introduced:

By Messrs. Collins (C), Collins (W), Wood, Downing, Lyons, Nettles and Perloff:

H. J. R. 56. WHEREAS, Curtis Adrian Gentry, Jr., a native of Mobile, Alabama departed this life on the 29th day of December, 1968, and

WHEREAS, Mr. Gentry was for many years active in the political, civic and religious life of Chickasaw, Alabama, and more recently of Destin, Florida, and

WHEREAS, Mr. Gentry will be sorely missed by his family and friends,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That this body mourns the death of Curtis Adrian Gentry, Jr. and extends its condolence to his widow, Mildred Delchamps Gentry and his children, Patricia G. Edington, Virginia G. Rust and Curtis Adrian Gentry, III.

BE IT FURTHER RESOLVED, That a copy of this Resolution be spread upon the pages of the Journal of the House of Representatives and a copy sent to the family of Mr. Gentry.

On motion of Mrs. Collins (C), the rules were suspended and H. J. R. 56 was adopted.

MOTION TO BRING UP H. 274

On motion of Mr. Crane, the rules were suspended and permission granted to bring up H. 274 out of order.

Yeas 62; Nays 8.

Yeas:

Mr. Speaker	Dobbs	Jones	Pearson
Agee	Downing	Kilgore	Pruitt
Bassett	Drake	Laxson	Robertson
Berryman (W)	Ellis	Lemley	Sessions
Bowers	Foshee	Marr	Smith
Brannan	Gafford	Mays	Starnes
Brown	Gloor	McDonald	Steagall
Burgess	Graham	Meade	Stembridge
Cherner	Grainger	Meeks	Tuck
Collier	Harris	Merrill	Turnham
Collins (W)	Higginbotham	Money	Waggoner
Cook (Coffee)	Holladay	Owen (Baldwin)	Watkins
Cook (Jefferson)	Holman	Owens (W)	Weeks
Crane	House	Owens (W.E.)	Yeilding
Culver	Jackson (F)	Paulk	Young
Dill	Jackson (T)		—62

Nays:

Messrs.:	Lyons	Nettles	Stubbs
Collins (C)	Malone	Slate	Wright
Garrett			—8

And the bill:

H. 274. To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 11.

Yeas:

Mr. Speaker	Downing	Lemley	Perloff
Bank	Drake	Lybrand	Pruitt
Bassett	Foshee	Lyons	Sessions
Berryman (R)	Gafford	Mathews	Smith
Berryman (W)	Graham	Mays	Snell
Brannan	Hardin	McCorquodale	Springer
Brassell	Harris	McElhaney	Starnes
Brown	Headley	Meade	Stembridge
Cherner	Higginbotham	Meeks	Tuck
Collier	Hobbie	Money	Turnham
Collins (W)	Holman	Owen (Baldwin)	Waggoner
Cook (Jefferson)	House	Owens (W)	Watkins
Crane	Jackson (F)	Owens (W.E.)	Weeks
Culver	Jackson (T)	Paulk	Wood
Dill	Jones	Pearson	Yeilding
Dobbs	Kilgore	Pennington	Young
Doss	Laxson		—66

Nays:

Messrs.:	Gloor	Nettles	Slate
Burgess	Grainger	Robertson	Stubbs
Garrett	Malone	Shumate	Wright
			—11

MOTION TO BRING UP H. 463

On motion of Mr. Ellis, the rules were suspended and permission granted to bring up H. 463 out of order.

Yeas 82; Nay 1.

Yeas:

Mr. Speaker	Drake	Lemley	Pruitt
Adwell	Edington	Lyons	Robertson
Agee	Ellis	Malone	Sessions
Bank	Foshee	Marr	Shumate
Bassett	Gafford	Mathews	Slate
Berryman (R)	Garrett	Mays	Smith
Berryman (W)	Gloor	McCorquodale	Springer
Brannan	Graham	McElhaney	Starnes
Brown	Grainger	McLain	Steagall
Burgess	Hardin	Meade	Stembridge
Cherner	Harper	Meeks	Stubbs
Collier	Harris	Money	Tuck
Collins (C)	Headley	Nettles	Turnham
Collins (W)	Higginbotham	Owen (Baldwin)	Waggoner
Cook (Jefferson)	Hobbie	Owens (W)	Watkins
Crane	Holman	Owens (W.E.)	Weeks
Culver	House	Paulk	Williams
Dill	Jackson (F)	Pearson	Wood
Dobbs	Jackson (T)	Pennington	Yeilding
Doss	Jones	Perloff	Young
Downing	Kilgore		—82

Nay: Mr. Wright —1

And the bill:

H. 463. Relating to disruptive activity on the campus or property of private or public schools, vocational or trade schools, and institutions of higher learning; and prescribing centain penalties for violations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Robertson
Agee	Edington	Lyons	Sessions
Bassett	Ellis	Malone	Shumate
Berryman (R)	Foshee	Marr	Slate
Berryman (W)	Gafford	Mays	Smith
Bowers	Garrett	McCorquodale	Snell
Brannan	Gloor	McLain	Springer
Brassell	Graham	Meade	Starnes
Brown	Grainger	Meeks	Steagall
Burgess	Hardin	Merrill	Stembridge
Cherner	Harper	Money	Stubbs
Collier	Harris	Nettles	Tuck
Collins (C)	Higginbotham	Owen (Baldwin)	Turnham
Collins (W)	Hill	Owens (W)	Waggoner
Cook (Jefferson)	Hobbie	Owens (W.E.)	Weeks
Crane	Holman	Paulk	Williams
Culver	Jackson (F)	Pearson	Wood
Dill	Jackson (T)	Pennington	Wright
Dobbs	Jones	Perloff	Yeilding
Doss	Kilgore	Pruitt	Young
Downing	Lemley		—82

MOTION TO ADJOURN LOST

The motion of Mr. Headley that the House adjourn until Tuesday, June 24, 1969, at 2 o'clock P. M., was lost.

Yeas 29; Nays 44.

Yeas:

Mr. Speaker	Dobbs	Holman	Owen (Baldwin)
Bassett	Doss	Jackson (T)	Paulk
Beck	Drake	Kilgore	Pearson
Berryman (R)	Gafford	Mays	Shumate
Bowers	Graham	McCorquodale	Starnes
Brannan	Hain	Meade	Weeks
Collins (W)	Headley	Money	Young
Dill			

—29

Nays:

Messrs.:	Garrett	Lyons	Slate
Agee	Gloor	Malone	Smith
Bank	Grayson	Marr	Springer
Berryman (W)	Hardin	McElhaney	Stembridge
Cherner	Harris	McLain	Stubbs
Collins (C)	Hill	Meeks	Tuck
Cook (Coffee)	Hobbie	Merrill	Turnham
Cook (Jefferson)	House	Nettles	Waggoner
Culver	Jackson (F)	Pennington	Wood
Downing	Jones	Robertson	Wright
Edington	Lybrand	Sessions	Yeilding
Foshee			

—44

MOTION TO BRING UP H. 590 LOST

The motion of Mr. Shumate to suspend the rules and bring up H. 590 out of order was lost.

Yeas 24; Nays 39.

Yeas:

Mr. Speaker	Collins (C)	Hardin	Robertson
Bank	Culver	Hill	Sessions
Berryman (W)	Dobbs	Mays	Slate
Brannan	Downing	Meade	Steagall
Brassell	Graham	Owens (W.E.)	Stubbs
Burgess	Hain	Perloff	Tuck

—24

Nays:

Messrs.:	Foshee	Lemley	Paulk
Adwell	Gafford	Lybrand	Pearson
Cameron	Garrett	Lyons	Pennington
Cherner	Gloor	Malone	Snell
Collier	Harper	Marr	Turnham
Collins (W)	Harris	McCorquodale	Weeks
Cook (Coffee)	Headley	McElhaney	Williams
Crane	Hobbie	Merrill	Wright
Dill	Jones	Nettles	Yeilding
Edington	Kilgore	Owens (W)	Young

—39

MOTION FOR JUDICIARY COMMITTEE REPORT GRANTED

On motion of Mr. Merrill, the rules were suspended and permission granted for the Standing Committee on Judiciary to report bills out of the Committee.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 303. To amend Act No. 403, Section 2, Acts of Alabama 1967, Vol. II, Page 1016, which provides for the sale of bonds in the amount of $5,000,000 for the purpose of constructing and equipping a four year college or branch of Auburn University.

H. 396. Relating to the compensation of the State Superintendent of Education.

H. 320. Relating to the Eighteenth Judicial Circuit; providing for an additional Circuit Judge in such Circuit.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 347 (with amendment). To amend the Motor Vehicle Safety-Responsibility Act, Act No. 704, H. 475, Regular Session 1951, (Acts 1951, p. 1224) relative to reinstating driving license and registration privilege and non-resident's operating privilege which have been suspended under said act.

H. 573 (with amendment). To amend Section 797, Title 51, Code of Alabama 1940 relating to assessment and appeal under the Use tax law.

H. 574 (with amendment). To amend Section 14, Act No. 100, Second Special Session, 1959, which relates to incorrect payments of sales tax.

H. 576 (with amendment). To further amend Section 2, Act No. 100, Second Special Session, 1959, as amended by Act No. 464, Regular Session, 1963, approved September 6, 1963, which relates to the levy of the sales tax.

H. 580 (with amendment). To further amend Section 788, Title 51, Code of Alabama, 1940, as amended by Act No. 76, Second Special Session, approved September 30, 1965, which relates to the levy of the use tax.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 765. To provide for the repair/or lease of heavy duty off-highway construction equipment including machinery used for grading, drainage, road construction and compaction for exclusive use of county and municipal, highway, street and sanitation departments by the county boards of revenue or other similar county governing bodies, the governing bodies of the municipalities of the state, and the governing boards of

instrumentalities of counties and municipalities, relative to exemption from competitive bidding in the expenditure of public funds.

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate is duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

The above bill was read a second time at length as required by the Constitution.

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit

the number, cost and use of such vehicles; to provide for a transportation pool and to fix the responsibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 236 (with amendment). Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the federal-aid primary system and the national system of interstate and defense highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

S. 246. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

The above bill was read a second time at length as required by the Constitution.

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistance provisions of the Federal-Aid Highway Act of 1968 and subsequent Federal Acts related thereto; repealing Section 39(2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an oblibation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

S. 365. To provide a cost of living increase to certain retired members of the Employees' Rtirement System of Alabama.

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

MOTION TO BRING UP H. 385 LOST

The motion of Mr. Berryman (R) to suspend the rules and bring up H. 385 out of order was lost.

Yeas 50; Nays 15.

Yeas:

Mr. Speaker	Dill	Jones	Sessions
Bank	Dobbs	Laxson	Slate
Bassett	Doss	Malone	Smith
Beck	Downing	Marr	Springer
Berryman (R)	Drake	Mays	Starnes
Berryman (W)	Foshee	McLain	Steagall
Brannan	Gafford	Meade	Stubbs
Brown	Graham	Owens (W.E.)	Tuck
Burgess	Hardin	Paulk	Waggoner
Cameron	Headley	Pearson	Wood
Collins (W)	Hill	Perloff	Yeilding
Cook (Coffee)	Holman	Robertson	Young
Crane	Jackson (F)		—50

Nays:

Messrs.:	Harris	Lyons	Owens (W)
Adwell	Higginbotham	McCorquodale	Pennington
Garrett	Hobbie	McElhaney	Snell
Gloor	Lemley	Nettles	Stembridge
			—15

MOTION TO BRING UP H. 95 LOST

The motion of Mr. McLain to suspend the rules and bring up H. 95 out of order was lost.

Yeas 36; Nays 39.

Yeas:

Mr. Speaker	Crane	Holman	Owens (W.E.)
Bank	Dill	Jackson (T)	Paulk
Berryman (W)	Dobbs	Jones	Sessions
Blanton	Doss	Laxson	Slate
Brannan	Downing	Marr	Springer
Brown	Drake	Mays	Starnes
Cameron	Graham	McLain	Stubbs
Collins (C)	Grayson	Meade	Tuck
Collins (W)	Hill	Meeks	Wood
			—36

Nays:

Messrs.:	Foshee	Kilgore	Pearson
Adwell	Gafford	Lemley	Pennington
Bassett	Garrett	Lyons	Robertson
Berryman (R)	Gloor	Malone	Snell
Brassell	Hardin	McCorquodale	Steagall
Burgess	Harper	McElhaney	Stembridge
Cherner	Harris	Merrill	Turnham
Collier	Higginbotham	Nettles	Weeks
Cook (Coffee)	Hobbie	Owen (Baldwin)	Wright
Edington	Jackson (F)	Owens (W)	Young

—39

MOTION TO BRING UP H. 231 LOST

The motion of Mr. Headley to suspend the rules and bring up H. 231 out of order was lost.

Yeas 26; Nays 40.

Yeas:

Mr. Speaker	Collins (W)	Mays	Slate
Bank	Cook (Jefferson)	Meade	Springer
Beck	Dobbs	Meeks	Starnes
Berryman (W)	Edington	Owens (W.E.)	Steagall
Brannan	Hill	Paulk	Stubbs
Brown	House	Sessions	Watkins
Collins (C)	Marr		

—26

Nays:

Messrs.:	Garrett	Kilgore	Nettles
Adwell	Gloor	Laxson	Owens (W)
Agee	Grainger	Lemley	Pearson
Berryman (R)	Harper	Lybrand	Pennington
Brassell	Harris	Lyons	Snell
Cameron	Higginbotham	Malone	Stembridge
Cherner	Hobbie	McCorquodale	Turnham
Collier	Holman	McElhaney	Weeks
Downing	Jackson (T)	Merrill	Yeilding
Foshee	Jones	Money	Young
Gafford			

—40

MOTION TO INTRODUCE BILL GRANTED

On motion of Mr. Marr, the rules were suspended and permission granted to introduce a bill out of order.

INTRODUCTION OF BILL

The following bill was introduced, read one time, and referred to appropriate standing committee, as follows:

By Mr. Marr:

H. 816. To provide further for the admission of the mentally retarded to certain state hospitals and facilities.

Judiciary.

MOTION TO ADJOURN LOST

The motion of Mr. Headley that the House adjourn until Tuesday, June 24, 1969, at 2 o'clock P. M., was lost.

Yeas 30; Nays 54.

Yeas:

Mr. Speaker	Dobbs	Mathews	Perloff
Adwell	Downing	Mays	Shumate
Agee	Drake	Meade	Starnes
Beck	Gafford	Money	Steagall
Berryman (R)	Graham	Owen (Baldwin)	Stembridge
Bowers	Harper	Paulk	Weeks
Brannan	Holman	Pearson	Young
Burgess	Kilgore		

—30

Nays:

Messrs.:	Ellis	Laxson	Sessions
Bank	Foshee	Lemley	Slate
Berryman (W)	Garrett	Lybrand	Smith
Blanton	Gloor	Lyons	Snell
Brassell	Grainger	Malone	Springer
Brown	Grayson	Marr	Stubbs
Cameron	Harris	McCorquodale	Tuck
Collins (C)	Higginbotham	McElhaney	Turnham
Collins (W)	Hill	McLain	Waggoner
Cook (Coffee)	Hobbie	Meeks	Watkins
Cook (Jefferson)	House	Merrill	Wood
Culver	Jackson (F)	Nettles	Wright
Doss	Jackson (T)	Pennington	Yeilding
Edington	Jones	Robertson	

—54

MOTION TO BRING UP H. 422 AND H. 424 LOST

The motion of Mr. Bank to suspend the rules and bring up H. 422 and H. 424 out of order was lost.

Yeas 28; Nays 51.

Yeas:

Mr. Speaker	Dobbs	House	Paulk
Bank	Doss	Marr	Shumate
Beck	Downing	Mathews	Slate
Brannan	Edington	Mays	Starnes
Collins (C)	Grayson	McLain	Steagall
Collins (W)	Headley	Meade	Stembridge
Cook (Jefferson)	Hill	Meeks	Tuck

—28

Nays:

Messrs.:	Garrett	Laxson	Pennington
Adwell	Gloor	Lemley	Perloff
Agee	Grainger	Lybrand	Robertson
Bassett	Hardin	Lyons	Sessions
Berryman (R)	Harper	Malone	Snell
Brassell	Harris	McCorquodale	Springer
Cameron	Higginbotham	McElhaney	Turnham
Cherner	Hobbie	Merrill	Watkins
Cook (Coffee)	Holman	Money	Weeks
Dill	Jackson (F)	Nettles	Williams
Ellis	Jackson (T)	Owen (Baldwin)	Wright
Foshee	Jones	Owens (W)	Yeilding
Gafford	Kilgore	Pearson	Young

—51

RESOLUTION

The following resolution was introduced:

By Messrs. Brown, Culver, Bank and Robertson:

H. J. R. 57. WHEREAS William P. Bloom, internationally known Tuscaloosa businessman and civil leader, passed away on June 15, 1969 in Caracas, Venezuela; and

WHEREAS Mr. Bloom's activities have transcended local and state affairs and have affected international relations, in that he has influenced legislation and policy relative to Israel, and has been cited by the Israel government for his actvities on behalf of that country; and

WHEREAS Mr. Bloom was, for many years, active in the Red Cross, Rotary, Zamora Temple, Federated Jewish Charities, and B'nai Brith, and has served ably as a Council Commissioner of the Boy Scouts, President of the Tuscaloosa Merchants Bureau, a director of the Chamber of Commerce, President of Temple Emanuel and has held many other important posts in civic, business, religious, and charitable organizations; now therefor

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of William P. Bloom, to whom his city, his state, and his nation are deeply indebted, and express our sympathy to his family and friends.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the family of William P. Bloom.

The motion of Mr. Brown to suspend the rules and adopt H. J. R. 57 was lost.

Yeas 40; Nays 29.

Yeas:

Mr. Speaker	Dobbs	Laxson	Perloff
Bank	Downing	Lemley	Pruitt
Beck	Drake	Lyons	Robertson
Brannan	Edington	Marr	Shumate
Brown	Grayson	Mays	Slate
Burgess	Hain	Meade	Starnes
Cameron	Headley	Meeks	Steagall
Collins (C)	Hobbie	Merrill	Tuck
Collins (W)	Holman	Nettles	Wood
Culver	House	Paulk	Young

—40

Nays:

Messrs.:	Garrett	Jackson (T)	Pearson
Adwell	Gloor	Jones	Pennington
Agee	Grainger	Kilgore	Snell
Brassell	Harper	McCorquodale	Springer
Cherner	Harris	McElhaney	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Foshee	Hill	Owens (W)	Yeilding
Gafford	Jackson (F)		

—29

And H. J. R. 57 was referred to the Standing Committee on Rules.

MOTION FOR LOCAL LEGISLATION NO. 1 COMMITTEE REPORT GRANTED

On motion of Mr. Bassett, the rules were suspended and permission granted for the Standing Committee on Local Legislation No. 1 to report bills out of Committee.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

H. 704. Relating to all counties having populations of not less than 37,000 nor more than 41,000; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, and providing for operation of their offices.

H. 705. Relating to all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Rvenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

H. 774. To provide, in any county of the State of Alabama having a population of not less than 37,000 or more than 41,000, according to the

last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

The above bill was read a second time at length as required by the Constitution.

H. 788. Relating to all counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; authorizing, but not requiring, the governing body of each of such counties to fix the amount and prescribe the manner of compensating the members of the jury commissions of the county.

H. 789. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

H. 801. To apply only in counties having populations of not less than 57,000 nor more than 61,000, providing an expense allowance payable from the county treasury for the use of the coroner.

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

MOTION FOR INTRODUCTION OF BILL LOST

The motion of Mr. Blanton to suspend the rules and introduce a bill out of order was lost.

Yeas 20; Nays 44.

Yeas:

Mr. Speaker	Culver	Grayson	Meeks
Bank	Dobbs	Hain	Paulk
Beck	Downing	Hill	Slate
Berryman (W)	Edington	Malone	Starnes
Brown	Grainger	Meade	Steagall

—20

Nays:

Messrs.:	Garrett	Laxson	Pennington
Adwell	Gloor	Lybrand	Perloff
Agee	Graham	Lyons	Robertson
Bassett	Hardin	Marr	Shumate
Brassell	Harper	Mays	Snell
Cameron	Higginbotham	McCorquodale	Springer
Cherner	Hobbie	McElhaney	Stembridge
Collier	Jackson (F)	Merrill	Watkins
Cook (Coffee)	Jackson (T)	Money	Weeks
Crane	Jones	Nettles	Yeilding
Ellis	Kilgore	Owens (W)	Young
Foshee			

—44

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Tuesday, June 24, 1969, at 2 o'clock P. M., was lost.

Yeas 34; Nays 48.

Yeas:

Mr. Speaker	Crane	Kilgore	Pearson
Beck	Dobbs	Laxson	Perloff
Berryman (R)	Downing	Mathews	Shumate
Berryman (W)	Drake	Mays	Starnes
Blanton	Graham	Meade	Steagall
Bowers	Hain	Money	Weeks
Brannan	Harper	Owen (Baldwin)	Wood
Brown	Headley	Paulk	Young
Collins (W)	Holman		

—34

Nays:

Messrs.:	Ellis	Jackson (T)	Pennington
Adwell	Foshee	Jones	Robertson
Agee	Garrett	Lybrand	Sessions
Bank	Gloor	Lyons	Slate
Bassett	Grainger	Malone	Smith
Cameron	Grayson	Marr	Springer
Cherner	Hardin	McCorquodale	Stembridge
Collins (C)	Harris	McElhaney	Tuck
Cook (Coffee)	Higginbotham	McLain	Waggoner
Cook (Jefferson)	Hill	Meeks	Watkins
Culver	House	Merrill	Wright
Doss	Jackson (F)	Nettles	Yeilding
Edington			

—48

MOTION TO BRING UP H. 213 LOST

The motion of Mr. Burgess to suspend the rules and bring up H. 213 out of order was lost.

Yeas 29; Nays 35.

Yeas:

Mr. Speaker	Collins (W)	Hill	Meeks
Bank	Dobbs	House	Merrill
Beck	Doss	Lybrand	Robertson
Berryman (W)	Downing	Marr	Shumate
Blanton	Edington	Mays	Slate
Brassell	Hain	McLain	Starnes
Brown	Headley	Meade	Steagall
Collins (C)			

—29

Nays:

Messrs.:	Gafford	Jackson (F)	Nettles
Adwell	Garrett	Jackson (T)	Pennington
Agee	Gloor	Jones	Perloff
Bassett	Grainger	Kilgore	Springer
Cameron	Hardin	Laxson	Stembridge
Cherner	Harper	Lyons	Turnham
Collier	Harris	Malone	Watkins
Ellis	Higginbotham	McElhaney	Weeks
Foshee	Hobbie	Money	Yeilding

—35

MOTION TO INTRODUCE BILLS LOST

The motion of Mr. Stubbs to suspend the rules and introduce two bills was lost.

Yeas 37; Nays 39.

Yeas:

Mr. Speaker	Crane	Hill	Paulk
Agee	Dill	House	Robertson
Bank	Dobbs	Malone	Sessions
Beck	Downing	Marr	Shumate
Berryman (W)	Edington	Mays	Slate
Blanton	Graham	McCorquodale	Starnes
Brannan	Grayson	Meade	Steagall
Brown	Hain	Meeks	Tuck
Collins (C)	Headley	Money	Young
Collins (W)			

—37

Nays:

Messrs.:	Garrett	Jones	Pearson
Adwell	Gloor	Kilgore	Pennington
Bassett	Grainger	Laxson	Perloff
Brassell	Hardin	Lemley	Snell
Burgess	Harper	Lybrand	Springer
Cameron	Harris	Lyons	Stembridge
Cherner	Higginbotham	McElhaney	Turnham
Collier	Hobbie	Merrill	Watkins
Ellis	Jackson (F)	Nettles	Weeks
Foshee	Jackson (T)	Owens (W)	Yeilding

—39

MOTION FOR EDUCATION COMMITTEE REPORT GRANTED

On motion of Mr. Turnham, the rules were suspended and permission granted for the Standing Committee on Education to report bills out of Committee.

BILLS ON SECOND READING

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 79. To authorize and provide for compulsory driver education in the public high schools of Alabama and the granting of credit for same.

H. 735. To amend Act No. 310 adopted at the 1967 Regular Session of the Legislature of Alabama, to provide that members of the Board of Directors of the Mental Health Authority need not be residents of the municipality which appoints them, but need only be residents of the area served by the Mental Health Authority.

H. 734. To amend Section 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and to repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

S. 13. To amend House Bill 5 as passed by the 1969 Special Session of the Alabama Legislature; to provide for the changing of the name of the Alabama Commission of Higher Education.

MOTION FOR CONSERVATION COMMITTEE REPORT GRANTED

On motion of Mr. Owen (Baldwin), the rules were suspended and permission granted for the Standing Committee on Conservation to report bills out of Committee.

BILLS ON SECOND READING

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 533. To amend Sections 1 and 3 of Act No. 322, General Acts of Alabama 1947, page 212, which pertains to the catching of shrimp for bait during the closed season and for the licensing of persons selling or offering for sale such shrimp.

H. 593. To repeal Title 8, Section 95, Code of Alabama 1940; 1935 General Acts, Page 813, and to amend Act No. 187, H 186, Acts of Alabama, Special Session 1961, Page 2157, approved September 15, 1961, which relates to licenses to capture and kill furbearing animals.

H. 613. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral

leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

H. 666. To authorize and provide for a commercial fisherman's helper for certain such fishermen; to provide for the issuance of permits to such helpers; to prescribe the fees for such permits; to provide for their collection and distribution; and to prescribe penalties for violations of this act.

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

H. 749. To prohibit the discharge of litter and sewage and certain other materials from a watercraft into the waters of this State; to prohibit discharge of untreated sewage from marine toilets; to require treatment of sewage discharged by marine toilets; to authorize the State Board of Health to adopt rules and regulations for discharge of sewage and litter from watercraft, including requirements for permits to restrict manufacturers of marine toilets and devices to comply with regulations; to authorize revocation of certification of watercraft after certain convictions; to require litter or trash receptacles for marinas; to provide for enforcement by the Board of Health and Department of Conservation; to prescribe the method of prosecution and penalties for violation of this Act and rules and regulations; to require fines to be paid into the General Fund and to provide for expenditures of funds for carrying out this Act from Federal Funds or other funds available to the Board of Health or state.

MOTION FOR LOCAL LEGISLATION NO. 4 COMMITTEE REPORT GRANTED

On motion of Mr. McElhaney, the rules were suspended and permission granted for the Standing Committee on Local Legislation No. 4 to report a bill out of Committee.

BILL ON SECOND READING

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favor-

able report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 138 (with substitute). Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

MOTION FOR STATE ADMINISTRATION COMMITTEE REPORT GRANTED

On motion of Mr. Cook (Coffee), the rules were suspended and permission granted for the Standing Committee on State Administration to report bills out of Committee.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 377. Relating to blind and otherwise handicapped persons; to declare the policy of the State relative to such persons; to declare, define and safeguard certain rights, possessed by such persons, to prescribe penalties for denying or interfering with the enjoyment of such rights; and to place certain duties relative to such persons on drivers of motor vehicles, and on operators of common carriers, public accommodations and other places to which the public generally is invited; and to provide for proclaiming October 15 each year as "White Cane Day."

H. 423. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama 1951, p. 259); in relation to the periods during which service must be rendered, the duration of such service and the time of residence in Alabama of the veteran entitled to benefits under the Act; to eliminate certain redundancies in the Act; to clarify certain ambiguities therein; and to provide that the benefits authorized therein shall be in addition to other state and federal benefits accorded to children, wives and Widows of the Act.

H. 728. To amend Act No. 168 (H. 270) Special Session of 1966 relating to the Alabama Historical Commission by increasing the Commission membership from eleven to fifteen persons.

MOTION GRANTED TO INTRODUCE BILL

On motion of Mr. Berryman (W), the rules were suspended and permission granted for the introduction of a bill out of order.

INTRODUCTION OF BILL

The following bill was introduced, read one time, and referred to appropriate standing committee, as follows:

By Messrs. Berryman (W) and Graham (with notice and proof):

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like pro-

visions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

Local Legislation No. 1.

Notice and Proof H. 817:

A BILL
TO BE ENTITLED
AN ACT

To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied in Franklin County, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

(a) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the pross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10 cents) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10 cents) per sale and shall file with the state department of revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the state department of revenue, the gross receipts tax herein provided for shall not be levied.

(b) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within Franklin County, or any athletic association thereof, or other association whether such institution or association be a denominational, a state or county, or a municipal institution or association or a state, county, or city school, or other institution, association or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within Franklin County, an amount equal to one percent of the gross receipts of any such business.

(c) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to one-half of one percent of the gross proceeds of the sale of such machines; provided, that the term "machines" as herein used shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(d) Upon every person, firm or corporation engaged or continuing within Franklin County in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one-half of one percent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer; provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein, a fee of five dollars per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be, of such withdrawal and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(e) Upon every person, firm or corporation engaged on continuing within Franklin County in the business of selling at retail any machine, machinery or equipment either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock, or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery

or equipment, an amount equal to one-half of one percent of the gross proceeds of the sale thereof. Provided, however, the one-half of one percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use, except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

Section 2. (a) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail for storage, use or other consumption in Franklin County at the rate of one percent of the sales price of such property, except as provided in subsections (b), (c) and (d).

(b) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property purchased at retail at the rate of one-half of one percent of the sales price of any such machine; provided, that the term "machine" as herein used shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(c) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail for storage, use or other consumption in Franklin County at the rate of one-half of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade or in a series of trades as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

(d) An excise tax is hereby imposed on the storage, use or other consumption in Franklin County of any machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products or used in connection with the production of agricultural produce or products, livestock or poultry on farms, and the parts of such machines, machinery or equipment, attachments and replacements therefor which are made or manufactured for use on or in the operation of such machine, machinery or equipment, and which are necessary to and customarily used in the operation of such machine, machinery or equipment which is purchased at retail after the effective date of this Act for storage, use or other consumption in Franklin

County, at the rate of one-half of one percent of the sales price of such property, regardless of whether the retailer is or is not engaged in business in Franklin County. Provided, however, the one-half of one percent rate herein prescribed with respect to parts, attachments and replacements shall not apply to any automotive vehicle or trailer designed primarily for public highway use except farm trailers used primarily in the production and harvesting of agricultural commodities.

Where any used machine, machinery or equipment, either that which is self-propelled or otherwise propelled or drawn and which is used in planting, cultivating and harvesting farm products, or used in connection with the production of agricultural produce or products, livestock and poultry on farms is taken in trade or in a series of trades as a credit or part payment on a sale of a new or used machine, machinery or equipment, the tax levied herein shall be paid on the net difference, that is, the price of the new or used machine, machinery or equipment sold, less the credit for the used machine, machinery or equipment taken in trade.

(e) An excise tax is hereby imposed in Franklin County on the classes of tangible personal property and at the rates imposed on such classes specified in subsections (a), (b), (c) and (d) of this section on the storage, use or other consumption in the performance of a contract in Franklin County of any such tangible personal property, new or used, the tax to be measured by the sales price or the fair and reasonable market value of such tangible personal property when put into use in Franklin County, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a), (b), (c) and (d) of this section apply.

Section 3. The taxes provided for in section 1 and section 2 of this Act shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as are applicable to the state sales and use taxes levied under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, except wherein applicable or where herein otherwise provided, all of which are adopted and made a part hereof by reference, including the provisions for the enforcement and collections of the taxes.

Section 4. All taxes imposed by this Act, together with such interest and penalties as may be imposed herein, shall be a lien upon the property of any person, firm or corporation due to pay such taxes under the provisions of this Act, and all of the provisions of the revenue laws of the State of Alabama applying to or with reference to the enforcement of liens for license taxes due the State of Alabama shall apply fully to the collection of the taxes imposed by this Act, and the state department of revenue, for the use and benefit of Franklin County, shall collect or enforce such taxes in the manner and form therein provided, and as further provided in section 5 hereof.

Section 5. The taxes imposed by this Act shall be collected by the state department of revenue at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto, and all reports now required to be made to the commissioner of revenue of the State of Alabama shall, on request of the department of revenue, be available for inspection by the chairman of the county governing

body of Franklin County or his designated agent, at reasonable times during business hours. The state department of revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of the additional taxes herein imposed, and shall have all the authority and duties in connection with such additional taxes as are now given by law to the department for the collection of state sales and use taxes under Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama, as amended, and Acts supplemental thereto, and Article 11 of Chapter 20 of Title 51 of the Code of Alabama of 1940, as amended, and Acts supplemental thereto. It shall be the duty of the commissioner of revenue to pay into the state treasury all collections of taxes made hereunder, and on or before the fifth day of the following month the commissioner of revenue shall certify to the state comptroller the amount of special taxes levied and collected under the authority of this Act for the use and benefit of Franklin County during the calendar month immediately preceding the making of such certificate to the state treasurer. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Franklin County, in his official capacity, in and amount equal to three-fourths of the amount so certified by the commissioner of revenue as having been collected for the use of Franklin County, and the remainder shall be paid to the custodian of the public school funds of the City of Russellville. The state department of revenue shall charge Franklin County for collecting the special county taxes levied herein the cost of collecting such taxes, such charge, however, not to exceed five percent of the amount collected. Such charge for collecting the special taxes for the county shall be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Franklin County for that month.

Section 6. The taxes imposed by this Act shall be in addition to all other licenses and taxes levied by law as a condition precedent to engage in any business taxable hereunder in Franklin County, except as herein otherwise specifically provided.

Section 7. All revenue arising from the tax herein levied shall be used exclusively for public school purposes within Franklin County.

Section 8. This Act supersedes Act No. 516, approved November 19, 1959 (Acts 1959, Vol. 2, p. 1267); provided, that rights and duties that matured, penalties that were incurred, and proceedings that were begun under said Act No. 516 before the effective date of this Act shall not be affected by this Act.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective on the first day of the month succeeding the thirtieth day following the date on which this Act is approved by the Governor or shall otherwise become law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama,

and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1968.

CLAUDE E. SPARKS.

Sworn to and subscribed before me March 17, 1969.

MAE G. STREIT,
Notary Public.

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until Tuesday, June 24, 1969, at 2 o'clock P. M., was lost.

Yeas 36; Nays 48.

Yeas:

Mr. Speaker	Collins (W)	Harper	Paulk
Bank	Crane	Holman	Pearson
Berryman (R)	Dobbs	Kilgore	Perloff
Berryman (W)	Doss	Laxson	Shumate
Blanton	Downing	Mathews	Starnes
Bowers	Drake	Mays	Steagall
Brannan	Gafford	Money	Stembridge
Brown	Graham	Owen (Baldwin)	Wood
Burgess	Hain	Owens (W.E.)	Young

—36

Nays:

Messrs.:	Garrett	Lybrand	Robertson
Adwell	Gloor	Lyons	Sessions
Agee	Grainger	Malone	Slate
Bassett	Grayson	Marr	Smith
Cameron	Hardin	McCorquodale	Snell
Cherner	Harris	McElhaney	Springer
Collins (C)	Hobbie	McLain	Stubbs
Cook (Coffee)	House	Meeks	Turnham
Cook (Jefferson)	Jackson (F)	Merrill	Watkins
Culver	Jackson (T)	Nettles	Weeks
Edington	Jones	Owens (W)	Wright
Ellis	Lemley	Pennington	Yeilding
Foshee			

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MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Tuesday, June 24, 1969, at 2 o'clock P. M., was lost.

Yeas 31; Nays 49.

Yeas:

Mr. Speaker	Dobbs	Mathews	Shumate
Beck	Doss	Mays	Starnes
Berryman (R)	Downing	Meade	Steagall
Blanton	Drake	Money	Stembridge
Brannan	Graham	Owen (Baldwin)	Weeks
Brown	Hain	Paulk	Wood
Burgess	Holman	Pearson	Young
Collins (W)	Kilgore	Perloff	

—31

Nays:

Messrs.:	Edington	Jones	Robertson
Agee	Ellis	Lemley	Sessions
Bank	Foshee	Lybrand	Slate
Bassett	Garrett	Lyons	Smith
Berryman (W)	Gloor	Malone	Snell
Cameron	Grainger	McCorquodale	Springer
Cherner	Grayson	McElhaney	Stubbs
Collins (C)	Hardin	McLain	Tuck
Cook (Coffee)	Harris	Meeks	Turnham
Cook (Jefferson)	Hobbie	Merrill	Watkins
Crane	House	Nettles	Wright
Culver	Jackson (F)	Pennington	Yeilding
Dill	Jackson (T)		

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INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. House, Melton, McElhaney, Bank, Robertson, Culver, Wright, Smith, Springer, Merrill, Cook (Coffee), McDonald, Jackson (T), Berryman (R), Dill, Grainger, Brown, Pennington, Mays, Harper, Higginbotham, Stembridge, Brassell, Laxson, Hobbie, Collier, Pearson, Crawford, Weeks, Owens (W), Snell, Slate, Beck, McCorquodale, Manley, Berryman (W), Blanton, Sessions, Starnes, Williams, Tuck, Pruitt, Burgreen, Owens (W.E.), Cherner, Yeilding, Watkins, Holman, Kilgore, Jones, Marr, Wood, Lemley and Meade:

H. 818. To prohibit the use of thermoplastic material in drain, waste and vent systems; to provide penalty for its use.

State Administration.

By Mr. Grayson:

H. 819. To apply only in counties having populations of not less than 300,000 nor more than 500,000, providing additional compensation for official court reporters of the circuit court in such counties.

Local Legislation No. 3.

By Messrs. Cook (Jefferson), Kilgore, Cherner, Ellis, Sessions, Meeks, House, Gloor, Jackson (T), Weeks, Watkins, Yeilding and Waggoner:

H. 820. To further amend Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125) as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as amended by Act No. 680 of the 1961 Regular Session approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations.

Local Legislation No. 2.

By Messrs. Adwell, Ellis, Sessions, Crane, Meeks, House, Holman, Cook (Jefferson), Kilgore, Gloor, Jackson (T), Weeks, Watkins, Yeilding, Waggoner and Bowers:

H. 821. To authorize any city of this state having a population of 300,000 or more inhabitants, according to the last or any subsequent federal census to pay hospital bills, doctors' bills, and other medical expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

Local Legislation No. 2.

By Messrs. Weeks, Money, Sessions, Dill, Cherner, Yeilding, Gloor, Kilgore, Jackson (T), Meeks and House:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

Local Legislation No. 2.

By Messrs. Beck and Meade (with notice and proof):

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 823:

Notice is hereby given that a local bill will be presented to the Legislature of Alabama at its next session relating to the changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama, and in words and figures substantially as follows:

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of Collinsville, Alabama, be, and the same are altered or re arranged so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory, which additional territory is described in Exhibit "A" attached hereto and made a part hereof.

Section 2. That the boundaries set out in Section 1 of this act be, and the same are hereby established as the corporate limits of said Town of Collinsville, Alabama, and all of the territory included and embraced within said boundaries shall hereafter be and constitute a part of the Town of Collinsville, Alabama.

Section 3. That all laws and parts of laws, both general, special and local, in conflict with this act be, and the same are hereby repealed.

Section 4. That this act shall go into effect immediately upon its passage and approval by the governor.

EXHIBIT "A"

Extension of Collinsville City Limits, (January, 1969)

Extension No. 5.

Commencing at the intersection of the West right-of-way line of U. S. Highway No. 11 with the North line of the Southeast Fourth

of the Northeast Fourth of Section One (1), Township Nine (9) South, Range Seven (7) East, in DeKalb County, Alabama, thence run Northwest perpendicular to U. S. Highway No. 11 along the present town limits three hundred (300) feet for a point of beginning: thence continue Northwest perpendicular to U. S. Highway No. 11 for a distance of six hundred (600) feet; thence Highway No. 11 for a distance of six hundred (600) feet; thence run Southwest and parallel to U. S. Highway No. 11, maintaining an equidistance of six hundred (600) feet from the present town limits (which are three hundred (300) feet from said Highway to the North line of the South half of the Southwest fourth of said Section 1, thence run East along said North line of said South half to a point on said line three hundred (300) feet from U. S. Highway No. 11 measured perpendicularly to said highway; thence run Northwest and parallel to U. S. Highway No. 11 maintaining an equidistance of three hundred (300) feet therefrom, being along the present town limits, to the point of beginning.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA ss:
COUNTY OF DEKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Ben M. Smith, publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of February 11, 18, 25, March 4, 1969.

BEN M. SMITH,
Publisher.

Sworn to and subscribed before me this 6th day of June, 1969.

MARY RUTH BROWN,
Notary Public.

My commission expires January 29, 1973.

By Mr. Berryman (R):

H. 824. To amend the "Alabama Water Management Act," Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

Agriculture.

By Messrs. Berryman (R), Grainger, Graham, Doss, Tuck, Wood, Laxson and Jackson (T):

H. 825. To prohibit any person, firm or corporation from operating or conducting any motor vehicle race or exhibitions on any permanent racetrack or other place where races or exhibitions are held unless there shall first be obtained a license as set forth herein; to provide certain requirements for licensing; to provide for fees; to authorize the Director of the Department of Public Safety to grant, revoke or suspend any such licenses; to provide penalties for violation of this Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Agriculture.

By Mr. Smith:

H. 826. To make an appropriation to the Alabama Institute for Deaf and Blind for Capital Outlay purposes.

Ways and Means.

By Mr. Steagall (with notice and proof):

H. 827. To alter, rearrange and extend the boundary lines and corporate limits of the town of Level Plains in Dale County.

Local Legislation No. 1.

Notice and Proof H. 827:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Level Plains in Dale County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Level Plains in Dale County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, a tract of land more particularly described as follows:

In Section 19, Township 4 North, Range 23 East: The Southwest quarter of the Northeast quarter; the West half of the Northwest quarter of the Southeast quarter.

In Section 20, Township 4 North, Range 23 East: The East half of the Southwest quarter; the North half of the Southeast quarter.

In Section 21, Township 4 North, Range 23 East: The Northwest quarter of the Southwest quarter and the Northeast quarter of the Southwest quarter.

In Section 29, Township 4 North, Range 23 East: The Northwest quarter.

In Section 30, Township 4 North, Range 23 East: The East half of the Southeast quarter of the Northeast quarter; and the East half of the Northeast quarter of the Northeast quarter.

All of the above described land lying and being situated in Dale County, Alabama.

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by a majority of the qualified electors owning property within that part of the territory hereinabove described which is not presently included within the corporate limits of the town of Level Plains, voting in a referendum election to be

held on a day designated by the Mayor of Level Plains, not less than 10 nor more than 30 days from the date of this enactment. Notice of the election shall be given by publication of such notice in one issue of a newspaper of general circulation in Dale County, Alabama, and by posting such notice in two public places in Level Plains, Alabama, for three days prior to such election. The question shall be on the adoption of Act No. _____ of the 1969 Regular Session of the Legislature, which alters, rearranges and extends the corporate limits of the town of Level Plains in Dale County. The town of Level Plains shall provide the place of election and ballots therefor on which shall be written or printed the words "Do you favor the adoption of Act No. _____ of the 1969 Regular Session of the Legislature, which alters, rearranges, and extends the corporate limits of the town of Level Plains?" If the voter desires to vote for the adoption of said Act such voter shall write on the ballot the word "Yes." If he desires to vote against the adoption of such Act the word "No" shall be written on his ballot. The town of Level Plains shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become operative immediately. If the majority are "No" this act shall have no further effect. The town clerk of Level Plains shall certify the result of the election to the secretary of state.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me June 19, 1969.

VIRGINIA J. BROADHURST,
A Notary Public.

By Mr. Steagall (with notice and proof):

H. 828. To authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 828:

LEGAL NOTICE

STATE OF ALABAMA
DALE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application made for its passage and enactment towit:

A BILL
TO BE ENTITLED
AN ACT

TO AUTHORIZE AND PROVIDE FOR THE ESTABLISHMENT, MAINTENANCE, OPERATION, AND FINANCING OF A PUBLIC LAW LIBRARY IN DALE COUNTY, ALABAMA.

Be It Enacted by the Legislature of Alabama:

SECTION 1. The governing body of Dale County, Alabama, is hereby fully authorized to establish and maintain a public law library in said County, and to accomplish said purpose, may from time to time expend such public funds of said County as are not required by law to be expended for any other purpose or purposes. It may provide suitable housing quarters, furniture, fixtures, and equipment therefor; keep the same in a good state of repair; and from time to time enlarge, expand, and improve such library, facilities and equipment; and from time to time provide such books, reports, and periodicals for said library as are not provided for out of the special funds created for by this Act or otherwise, all of which expenditures shall be made on warrants drawn in the usual manner, upon the County, payable out of the appropriate fund or funds;

SECTION 2. The Clerk of the Circuit Aourt of Dale County shall pay into the County treasury, for the use and and benefit of the Dale County Public Law Library Fund & all solicitors' fees collected in the trial of cases in the Circuit Court of said County;

SECTION 3. The Dale County Law Library Fund shall be expended by the presiding Judge of the Circuit Court of Dale County for maintaining said library. Said Judge shall draw warrants on the County for expenditures by him, indicating on the warrants the fund against which the warrants are drawn. Said fund shall be used primarily to purchase such books and periodicals, and to pay the salaries of such personnel as may, in the opinion of the said Judge, be advisable, but to the extent not so used, such funds may be otherwise expended for the maintenance of the library. The management of the library is vested in said Judge and all books and other property purchased with the funds produced by this Act shall be the property of Dale County, Alabama; provided, however, that the Judge may from time to time, sell or exchange any such books, reports, periodicals, and personal property for use in said library and said Judge may accept for said Dale County Public Law Library any gift or loan of any books, reports, periodicals, and property for public use in said library upon such terms and conditions as may be stipulated by the donor or lender thereof and as may be agreeable to the said Judge. Said Judge may appoint such personnel as may be necessary or proper to operate said library, and to the extent that circumstances permit, may designate the Court Reporer, he Clerk of the Circuit Court, The Register of the Circuit Court in Equity, or one or more deputy Circuit Clerks, or registers, to operate the same or to assist therein;

SECTION 4. If any sentence, clause, provision or section of this Act be declared invalid, the invalidity thereof shall not affect the validity of any other portion or provision of this Act, it being the intention to enact into law so much hereof as may validly become law, irrespective of the invalidity of portions hereof.

SECTION 5. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appear John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

JOHN Q. ADAMS.

Sworn to and subscribed before me June 19, 1969.

VIRGINIA J. BROADHURST,
A Notary Public.

By Mr. Stubbs (with notice and proof):

H. 829. To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Local Legislation No. 1.

Notice and Proof H. 829:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Be It Enacted by the Legislature of Alabama:

Section 1. At the first special constitutional amendment election held in Shelby County after the adjournment of this session of the legislature, there shall be submitted to the qualified voters of Shelby County, at a referendum election held for the purpose, the question of whether the county superintendent of education shall continue to be elected by vote of the people or shall be appointed by the county board of education as provided in the general law. The court of county commissioners, board of revenue, or other like county governing body shall call the election and provide for holding the same. The question to be submitted shall be stated on the ballots used at the election substantially as follows: "Do you favor continued election of the county superintendent of education by the voters of Shelby County?"

Section 2. The referendum election provided for in Section 1 shall be called, held and conducted as nearly as may be in the manner prescribed in Article 4 of Chapter 10, Title 52, Code 1940 providing for elections on levying county school taxes, but no petition of electors or request of the county board of education shall be required to initiate the proceedings. When the results of the election have been canvassed, the probate judge of the county shall certify the same to the secretary of state.

Section 3. If a majority of those voting at said referendum vote for the continued election of the county superintendent of education, then the remainder of this act shall have no force or effect. The office of county superintendent of education shall not be affected by this act; and the county superintendent of education shall continue to be elected in the manner prescribed by law and such office shall continue to be governed in all matters by the laws applicable thereto when this act becomes law.

Section 4. If a majority of those voting at said referendum vote against continued election of the county superintendent of education, then after the expiration of the term of office of the incumbent superintendent his successors shall be appointed by the county board of education as prescribed by Code of Alabama 1940, Title 52, Section 102, and thereafter the county superintendent of education of Shelby County appointed by the county board of education shall be the chief executive officer of the county school system and shall be charged with the same duties and shall exercise the same powers and authority as are now or as may hereafter be prescribed by the general laws of this State for county superintendents of education. His compensation shall be fixed by the county board of education and he shall be paid at the time and in the manner prescribed by the general law for paying county superintendents of education. The county board of education shall determine the amount of office help necessary for the county superintendent of education and the board shall fix the compensation and the time and manner of paying such office help. The county superintendent of education shall have authority to select such office help as may be provided by the county board of education. The expenses of the county superintendent of education shall be furnished by the county board of education as provided in the general law and allowances for his office may be made by the county board of education as provided in the general law.

Section 5. THe provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. Act No. 101, H. 498 of the Extra Session of 1932 (Local Acts 1932, Extra Session 1932, P. 45) and all acts amendatory thereof are hereby repealed. Any and all other laws or parts of laws in conflict herewith are also repealed.

Section 7. Sections 1 and 2 of this act shall become effective immediately upon the passage and approval of this act by the Governor, or its otherwise becoming law. If a majority of the qualified electors voting in such referendum vote "yes" in answer to the question submitted, then Section 3 of this act shall become effective on the date on which the result of such referendum is proclaimed; and the remainder of the act shall thereupon have no further force or effect. If a majority of the qualified electors voting in such referendum vote "no," then Section 3 of this act shall have no force or effect and the remainder of the act shall become effective on the date on which the result of the election is proclaimed.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 22, 29, 1969, June 5, 12, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 13th day of June, 1969.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. Stubbs (with notice and proof):

H. 830. To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

Local Legislation No. 1.

Notice and Proof H. 830:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

Be It Enacted by the Legislature of Alabama:

Section 1. The corporate limits of the Town of Vincent in Shelby County are hereby altered, redefined and reduced so as to exclude from the boundaries of said town the following described territory:

The East one-half of Section 24; the South one-half of the West one-half of Section 24; the North one-half of the West one-half of Section 25; the East one-half of Section 26; and that portion of the East one-half of Section 35 which lies North of the present corporate boundary limits of the Town of Vincent; all being situated in Township 18 South, Range 2 East, Shelby County, Alabama.

Section 2. All laws or parts of laws in conflict with this act are hereby repealed; and Act No. 104, H. 171, of the Special Session of 1967 (Acts 1967, p. 136) is hereby specifically repealed.

Section 3. This act shall become effective on the first day of the first month following the date of its enactment.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law, deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 22, 29, 1969, June 5, 12, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 13th day of June, 1969.

CONRAD M. FOWLER,
Judge of Probate.

By Mr. McElhaney:

H. 831. To establish a board of inquiry and to prescribe its rights, powers and responsibilities; to provide the procedure to obtain legal authorization for the medical sterilization of mentally retarded persons; to prohibit sterilization of persons who are mentally retarded and persons who may reasonably be thought to be mentally retarded, except in accordance with the procedures set forth in this Act; and to relieve physicians, surgeons and their assistants performing medical sterilization authorized by this Act from all legal responsibility except for malpractice.

Health.

By Messrs. McElhaney, Tuck and Edington:

H. 832. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Ways and Means.

By Messrs. Tuck, Burgreen, Berryman (R), McElhaney and Edington:

H. 833. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. Tuck, Burgreen, Berryman (R), McElhaney and Edington:

H. 834. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. Tuck, Burgreen, Berryman (R), McElhaney and Edington:

H. 835. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. Tuck, Burgreen, Berryman (R), McElhaney and Edington:

H. 836. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such perior (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Ways and Means.

By Messrs. Tuck, Burgreen, Berryman (R), McElhaney and Edington:

H. 837. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Ways and Means.

By Messrs. Tuck, Burgreen, Berryman (R), McElhaney and Edington:

H. 838. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Ala-

bama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Ways and Means.

By Messrs. Brannan, McCorquodale and Cherner:

H. 839. To amend Sections 15, 16 and 19 of Act No. 351, General Acts of Alabama 1947, page 234; to provide for the Legislative Committee on Public Accounts as a supervisory agency of the department; to provide for special meetings of the Legislative Committee on Public Accounts and regular meetings and compensation and expenses for attendance at meetings, and to provide for settlement of charges made by the department and certification of reports of such charges to the Attorney General or Governor of the State of Alabama.

Ways and Means.

By Messrs. Brannan, McCorquodale and Cherner:

H. 840. To amend Title 61, Section 211, Code of Alabama 1940, to allow the Chief Examiner of Public Accounts of the State of Alabama to file notice with the Judge of Probate of an impending examination affecting the estate of a decedent and hold the estate open for an additional period of six months.

Judiciary.

By Messrs. Brannan, McCorquodale and Cherner:

H. 841. To fix the salary of the Chief Examiner and the Assistant Chief Examiner.

Judiciary.

By Messrs. Brannan, McCorquodale and Cherner:

H. 842. To provide for assistant legal counsels for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this act.

Judiciary.

By Mr. Merrill:

H. 843. To repeal Act No. 245, H. 163, page 361, 1965 1st Special Session, Volume 1, approved May 5, 1965, which relates to taxation, providing exemptions from the State Sales Tax Law and the State Use Tax Law for fabricated steel sections for any tunnel for highway vehicular traffic.

Judiciary.

By Messrs. Meade, Beck and Lybrand:

H. 844. To authorize and provide for the removal of certain governmental restrictions regulating the use and development of private property adjacent and abutting controlled access highways at points of ingress and egress, defining such terms, the repeal of laws inconsistent herein, and for other purposes.

Judiciary.

By Mr. Blanton:

H. 845. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving

motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Hain, Cook (Coffee), Brannan and Blanton:

H. 846. To create a State Land Survey Authority; to provide for its membership; to provide for the travel and other expenses of the members of the Authority; to provide for a chairman for the Authority and to provide time for meetings of the Authority; to provide for the functions and duties of the Authority; to provide for a Chief State Land Surveyor and to provide for the acquisition by the Authority of lands or interest therein; to provide for public land survey corners and to make it a misdemeanor to destroy same; to provide for extension of a triangulation and levelling net of precision; to authorize the State Attorney General to represent the Authority; to provide for a location of the headquarters of the Authority; to give certain personnel of the Authority the right to enter upon private property for certain purposes and to provide for payment for any damages that might be incurred while on said property, and to provide that said personnel shall be immune from arrests for trespassing in performing their legal duty on said property; to provide for the furnishing of certain information to the Authority or the Chief Land Surveyor by certain public officials; to provide for the furnishing of records to other public agencies and to provide for the admission for certain records of the Authority in court proceedings; to provide that certain employees be registered land surveyors and providing that no employee of the Authority shall engage in private land surveying or consultation; to grant the Authority the right to produce and sell maps and other data and providing for the deposit of such funds; to grant to the Authority power to enter into contracts; to provide for a fee to be paid for filing or recording any instrument conveying real estate or any interest therein and for such fee to be forwarded to the State Treasurer and to provide for the disposition of such funds by the State Treasurer, and further providing that all funds paid out by the Treasurer shall be budgeted and allotted; and further providing that any funds in the State Land Survey Fund in excess of one hundred thousand dollars ($100,000.00) at the end of any state fiscal year shall be transferred into the General Fund of the State.

State Administration.

By Mr. Tuck:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Local Legislation No. 1

By Mr. Collins (W):

H. 848. To provide that any Municipal Corporation may, by proper ordinance, and any county governing body may by proper resolution, regulate the hours of sale of alcoholic beverages or malt and brewed beverages.

Health.

By Messrs. Nettles and Grayson:

H. 849. Proposing an amendment to Article I, Section 16, of the Constitution of Alabama, in relation to right to bail, to extend the right to deny bail in certain instances.

Judiciary.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hobbie:

H. 850. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitution and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

Judiciary.

BILLS ON THIRD READING

And the bill:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was taken up.

MOTION TO CARRY OVER H. 255

On motion of Mr. Crawford, the bill, H. 255, was carried over to the Fourteenth Legislative Day.

BILLS ON THIRD READING RESUMED

And the bill:

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Garrett	Holman
Agee	Collins (W)	Gloor	Jackson (F)
Bank	Cook (Coffee)	Graham	Jackson (T)
Bassett	Crane	Grainger	Jones
Berryman (R)	Culver	Grayson	Kilgore
Berryman (W)	Dobbs	Hain	Laxson
Blanton	Doss	Hardin	Lemley
Brannan	Downing	Harper	Lybrand
Brassell	Drake	Headley	Lyons
Brown	Edington	Higginbotham	Manley
Cameron	Ellis	Hill	Mays
Cherner	Foshee	Hobbie	McCorquodale
Collier	Gafford	Holladay	McElhaney

Meade	Paulk	Shumate	Turnham
Meeks	Pearson	Slate	Waggoner
Merrill	Pennington	Starnes	Weeks
Money	Perloff	Steagall	Williams
Nettles	Pruitt	Stubbs	Wright
Owen (Baldwin)	Robertson	Tuck	Young
Owens (W)	Sessions		—78

And the bill:

H. 564. Relating to the Twenty-ninth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pearson
Adwell	Edington	Jones	Pennington
Agee	Ellis	Kilgore	Perloff
Beck	Gafford	Laxson	Pruitt
Berryman (R)	Gloor	Lemley	Robertson
Berryman (W)	Graham	Lybrand	Sessions
Blanton	Grainger	Lyons	Slate
Brannan	Grayson	Malone	Smith
Brassell	Hardin	Manley	Snell
Brown	Harper	Mays	Starnes
Cameron	Harris	McElhaney	Stembridge
Cherner	Headley	Meade	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (C)	Hill	Money	Turnham
Collins (W)	Hobbie	Nettles	Waggoner
Cook (Coffee)	Holladay	Owen (Baldwin)	Watkins
Crane	Holman	Owens (W.E.)	Williams
Culver	House	Paulk	Young
Downing	Jackson (F)		—74

And the bill:

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Brassell	Culver	Graham
Adwell	Brown	Dobbs	Grainger
Agee	Cameron	Downing	Grayson
Bank	Cherner	Drake	Hain
Bassett	Collier	Edington	Hardin
Beck	Collins (C)	Ellis	Harper
Berryman (R)	Collins (W)	Foshee	Harris
Berryman (W)	Cook (Coffee)	Gafford	Headley
Blanton	Cook (Jefferson)	Garrett	Higginbotham
Brannan	Crane	Gloor	Hill

Hobbie	Malone	Paulk	Steagall
Holladay	Manley	Pearson	Stembridge
Holman	Marr	Pennington	Stubbs
House	Mays	Perloff	Tuck
Jackson (F)	McCorquodale	Pruitt	Turnham
Jackson (T)	McElhaney	Robertson	Waggoner
Jones	Meade	Sessions	Watkins
Kilgore	Merrill	Shumate	Weeks
Laxson	Money	Slate	Williams
Lemley	Owen (Baldwin)	Smith	Wright
Lybrand	Owens (W)	Snell	Yeilding
Lyons	Owens (W.E.)	Starnes	Young

—88

And the bill:

H. 700. Relating to counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; to provide further for expense allowances to the members and clerk of the county governing bodies in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Perloff
Adwell	Edington	Jones	Pruitt
Agee	Ellis	Kilgore	Robertson
Bank	Foshee	Laxson	Sessions
Bassett	Gafford	Lemley	Shumate
Beck	Garrett	Lybrand	Slate
Berryman (R)	Gloor	Lyons	Smith
Berryman (W)	Graham	Malone	Snell
Blanton	Grainger	Manley	Springer
Brannan	Grayson	Marr	Starnes
Brassell	Hain	Mays	Steagall
Brown	Hardin	McCorquodale	Stembridge
Cameron	Harper	McElhaney	Stubbs
Cherner	Harris	Meade	Tuck
Collier	Headley	Merrill	Turnham
Collins (W)	Higginbotham	Money	Waggoner
Cook (Coffee)	Hill	Owen (Baldwin)	Watkins
Cook (Jefferson)	Hobbie	Owens (W)	Weeks
Crane	Holladay	Owens (W.E.)	Williams
Culver	Holman	Paulk	Wright
Dobbs	House	Pearson	Yeilding
Downing	Jackson (F)	Pennington	Young

—88

And the bill:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pennington
Adwell	Edington	Kilgore	Perloff
Agee	Ellis	Laxson	Pruitt
Bank	Foshee	Lemley	Robertson
Bassett	Gafford	Lybrand	Sessions
Berryman (R)	Garrett	Lyons	Shumate
Blanton	Gloor	Malone	Slate
Brannan	Graham	Manley	Smith
Brassell	Grainger	Marr	Snell
Brown	Grayson	Mays	Springer
Cameron	Hain	McCorquodale	Starnes
Cherner	Hardin	McElhaney	Steagall
Collier	Harper	Meade	Stembridge
Collins (C)	Harris	Meeks	Stubbs
Collins (W)	Headley	Merrill	Tuck
Cook (Coffee)	Higginbotham	Money	Turnham
Cook (Jefferson)	Hill	Nettles	Waggoner
Crane	Hobbie	Owen (Baldwin)	Watkins
Culver	Holman	Owens (W)	Weeks
Dill	House	Owens (W.E.)	Williams
Dobbs	Jackson (F)	Paulk	Yeilding
Downing	Jackson (T)	Pearson	Young

—88

And the bill:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Pennington
Adwell	Edington	Kilgore	Perloff
Agee	Ellis	Laxson	Pruitt
Bank	Foshee	Lemley	Robertson
Bassett	Gafford	Lybrand	Sessions
Beck	Garrett	Lyons	Shumate
Berryman (R)	Gloor	Malone	Slate
Berryman (W)	Graham	Manley	Smith
Blanton	Grainger	Marr	Snell
Brannan	Grayson	Mays	Starnes
Brassell	Hain	McCorquodale	Steagall
Brown	Hardin	McElhaney	Stembridge
Cameron	Harris	Meade	Stubbs
Cherner	Headley	Meeks	Tuck
Collier	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Money	Waggoner
Cook (Coffee)	Hobbie	Nettles	Watkins
Cook (Jefferson)	Holladay	Owen (Baldwin)	Weeks
Crane	Holman	Owens (W)	Williams
Culver	House	Owens (W.E.)	Wright
Dill	Jackson (F)	Paulk	Yeilding
Dobbs	Jackson (T)	Pearson	Young
Downing			

—89

And the bill:

H. 703. Relating to cities having populations of not less than 20,500 nor more than 28,000; providing an expense allowance for members of the governing body of such cities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Pearson
Adwell	Doss	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bank	Drake	Lemley	Pruitt
Bassett	Edington	Lybrand	Sessions
Beck	Ellis	Lyons	Shumate
Berryman (R)	Foshee	Malone	Slate
Berryman (W)	Garrett	Manley	Smith
Blanton	Graham	Marr	Snell
Brannan	Grainger	Mathews	Starnes
Brassell	Hain	Mays	Steagall
Brown	Hardin	McCorquodale	Stembridge
Burgess	Harris	McElhaney	Stubbs
Cameron	Headley	Meade	Tuck
Cherner	Higginbotham	Meeks	Turnham
Collier	Hill	Merrill	Waggoner
Collins (C)	Hobbie	Money	Watkins
Collins (W)	Holladay	Nettles	Weeks
Cook (Coffee)	Holman	Owen (Baldwin)	Williams
Cook (Jefferson)	House	Owens (W)	Wright
Crane	Jackson (F)	Owens (W.E.)	Yeilding
Culver	Jackson (T)	Paulk	Young
Dill			—89

And the bill:

H. 707. A bill relating to all counties having populations of not less than 19,000 nor more than 19,500 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nay 1.

Yeas:

Mr. Speaker	Collier	Gafford	Holman
Agee	Collins (C)	Garrett	House
Bank	Collins (W)	Graham	Jackson (F)
Bassett	Cook (Coffee)	Grainger	Jackson (T)
Beck	Cook (Jefferson)	Grayson	Jones
Berryman (R)	Crane	Hain	Kilgore
Berryman (W)	Dill	Hardin	Laxson
Blanton	Dobbs	Harper	Lybrand
Bowers	Doss	Harris	Lyons
Brannan	Downing	Headley	Malone
Brown	Drake	Higginbotham	Manley
Burgess	Edington	Hill	Marr
Cameron	Ellis	Hobbie	Mathews
Cherner	Foshee	Holladay	Mays

McCorquodale	Owens (W.E.)	Slate	Turnham
McElhaney	Paulk	Smith	Waggoner
Meade	Pearson	Snell	Watkins
Meeks	Pennington	Starnes	Weeks
Merrill	Perloff	Steagall	Williams
Money	Pruitt	Stembridge	Wright
Nettles	Robertson	Stubbs	Yeilding
Owen (Baldwin)	Shumate	Tuck	Young
Owens (W)			

—89

Nay: Mr. Lemley —1

And the bill:

H. 708. A bill relating to all counties having populations of not less than 10,800 nor more than 12,000 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Adwell	Doss	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Berryman (R)	Ellis	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Brannan	Garrett	Manley	Slate
Brassell	Graham	Marr	Smith
Brown	Grainger	Mathews	Snell
Burgess	Grayson	Mays	Starnes
Cameron	Hain	McCorquodale	Steagall
Cherner	Hardin	McElhaney	Stembridge
Collier	Harper	Meade	Stubbs
Collins (C)	Harris	Meeks	Tuck
Collins (W)	Higginbotham	Merrill	Turnham
Cook (Coffee)	Hill	Money	Waggoner
Cook (Jefferson)	Hobbie	Nettles	Watkins
Crane	Holladay	Owen (Baldwin)	Williams
Culver	Holman	Owens (W)	Wright
Dill	House	Owens (W.E.)	Young

—88

And the bill:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Adwell	Downing	Jackson (T)	Pearson
Agee	Drake	Jones	Pennington
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Laxson	Pruitt
Beck	Foshee	Lemley	Robertson
Berryman (R)	Gafford	Lybrand	Sessions
Berryman (W)	Garrett	Lyons	Slate
Blanton	Graham	Malone	Smith
Brannan	Grainger	Manley	Snell
Brassell	Grayson	Marr	Starnes
Burgess	Hain	Mays	Steagall
Cameron	Hardin	McCorquodale	Stembridge
Cherner	Harper	McElhaney	Stubbs
Collier	Harris	Meade	Tuck
Collins (C)	Headley	Meeks	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Money	Watkins
Cook (Jefferson)	Hobbie	Nettles	Weeks
Crane	Holladay	Owen (Baldwin)	Williams
Culver	Holman	Owens (W)	Wright
Dill	House	Owens (W.E.)	Young
Dobbs			

—89

And the bill:

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Adwell	Downing	Jackson (T)	Pearson
Agee	Drake	Jones	Pennington
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Lemley	Pruitt
Berryman (R)	Foshee	Lybrand	Sessions
Berryman (W)	Gafford	Lyons	Slate
Blanton	Garrett	Malone	Snell
Brannan	Gloor	Manley	Springer
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mathews	Steagall
Burgess	Grayson	Mays	Stembridge
Cameron	Hain	McCorquodale	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Meeks	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Owen (Baldwin)	Wright
Culver	Holladay	Owens (W)	Yeilding
Dill	Holman	Owens (W.E.)	Young
Dobbs	House		

—90

And the bill:

H. 732 (with amendment). To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 49,000 nor more than 50,000.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend title of House Bill No. 732 by striking the following:

"not less than 49,000 nor more than 50,000" and inserting in lieu thereof, the following:

"not less than 49,500 nor more than 50,000".

Also amend Section 1 of House Bill No. 732 by striking the following:

"not less than 49,000 nor more than 50,000" and inserting in lieu thereof, the following:

"not less than 49,500 nor more than 50,000".

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Paulk
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jackson (T)	Pennington
Bassett	Drake	Jones	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (R)	Ellis	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Brannan	Garrett	Manley	Slate
Brassell	Graham	Marr	Snell
Burgess	Grainger	Mathews	Starnes
Cameron	Grayson	Mays	Steagall
Cherner	Hain	McCorquodale	Stembridge
Collier	Hardin	McElhaney	Stubbs
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Meeks	Turnham
Cook (Coffee)	Headley	Merrill	Waggoner
Cook (Jefferson)	Higginbotham	Money	Williams
Crane	Hill	Nettles	Wright
Culver	Hobbie	Owens (W)	Yeilding
Dill	Holman	Owens (W.E.)	Young

—84

And the bill, as thus amended:

H. 732. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 49,500 nor more than 50,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Pennington
Adwell	Dobbs	Jones	Perloff
Agee	Doss	Kilgore	Robertson
Bank	Downing	Lemley	Sessions
Bassett	Drake	Lybrand	Shumate
Beck	Ellis	Lyons	Slate
Berryman (R)	Foshee	Malone	Smith
Berryman (W)	Gafford	Manley	Snell
Blanton	Garrett	Marr	Springer
Bowers	Gloor	Mathews	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grainger	McCorquodale	Stembridge
Brown	Grayson	McElhaney	Stubbs
Burgess	Hain	Meade	Tuck
Cameron	Hardin	Meeks	Turnham
Cherner	Harper	Merrill	Waggoner
Collier	Harris	Money	Watkins
Collins (C)	Headley	Nettles	Weeks
Collins (W)	Higginbotham	Owen (Baldwin)	Williams
Cook (Coffee)	Hill	Owens (W)	Wright
Cook (Jefferson)	Hobbie	Owens (W.E.)	Yeilding
Crane	Holman	Paulk	Young
Culver	House	Pearson	

—91

MOTION TO ADJOURN LOST

The motion of Mr. Brown that the House adjourn until Tuesday, June 24, 1969, at 12 o'clock Noon, was lost.

Yeas 36; Nays 56.

Yeas:

Mr. Speaker	Dill	Headley	Paulk
Beck	Dobbs	Holman	Pearson
Berryman (R)	Doss	Kilgore	Perloff
Blanton	Downing	Laxson	Shumate
Bowers	Drake	Mathews	Slate
Brannan	Gafford	Mays	Starnes
Brown	Graham	Money	Tuck
Burgess	Hain	Owen (Baldwin)	Weeks
Crane	Harper	Owens (W.E.)	Wood

—36

Nays:

Messrs.:	Ellis	Jones	Owens (W)
Adwell	Foshee	Lemley	Pennington
Agee	Garrett	Lybrand	Robertson
Bank	Gloor	Lyons	Sessions
Bassett	Grainger	Malone	Smith
Berryman (W)	Grayson	Manley	Snell
Brassell	Hardin	Marr	Springer
Cameron	Harris	McCorquodale	Steagall
Cherner	Higginbotham	McElhaney	Stubbs
Collier	Hill	McLain	Turnham
Collins (W)	Hobbie	Meade	Waggoner
Cook (Coffee)	House	Meeks	Watkins
Cook (Jefferson)	Jackson (F)	Merrill	Wright
Culver	Jackson (T)	Nettles	Yeilding
Edington			

—56

BILLS ON THIRD READING RESUMED

And the bill:

H. 737. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Pearson
Adwell	Dobbs	Jackson (F)	Pennington
Agee	Doss	Jackson (T)	Perloff
Bank	Downing	Jones	Pruitt
Bassett	Drake	Lemley	Sessions
Beck	Edington	Lybrand	Shumate
Berryman (R)	Ellis	Lyons	Slate
Berryman (W)	Foshee	Malone	Smith
Blanton	Gafford	Manley	Snell
Bowers	Garrett	Marr	Springer
Brannan	Gloor	Mathews	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Cameron	Hain	Meade	Tuck
Cherner	Hardin	Meeks	Turnham
Collier	Harper	Merrill	Waggoner
Collins (C)	Harris	Money	Watkins
Collins (W)	Headley	Nettles	Williams
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Wright
Cook (Jefferson)	Hill	Owens (W)	Yeilding
Crane	Hobbie	Owens (W.E.)	Young
Culver	Holman	Paulk	—91

RESOLUTION

The following resolution was introduced:

By Mr. Robertson:

H. R. 58. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That whenever the House calendar contains more than twenty-five pages, either the first or last page thereof shall have printed thereon a numerical list of all House bills and all Senate bills on the day's calendar with the number of the page on which the bill appears printed opposite the number of the bill.

On motion of Mr. Robertson, the rules were suspended and H. R. 58 was adopted.

Yeas 45; Nays 30.

Yeas:

Mr. Speaker	Brannan	Collins (W)	Downing
Berryman (R)	Brassell	Culver	Drake
Berryman (W)	Brown	Dill	Edington
Blanton	Burgess	Dobbs	Foshee
Bowers	Collins (C)	Doss	Graham

Grainger	Mathews	Owens (W)	Smith
Grayson	Mays	Owens (W.E.)	Starnes
Headley	Meeks	Paulk	Steagall
House	Merrill	Robertson	Stubbs
Jackson (F)	Nettles	Shumate	Williams
Lemley	Owen (Baldwin)	Slate	Young
Marr			—45

Nays:

Messrs.:	Ellis	Jackson (T)	Perloff
Adwell	Garrett	Lybrand	**Pruitt**
Agee	Gloor	Malone	Sessions
Bank	Hardin	Manley	Snell
Bassett	Harris	McCorquodale	Springer
Cameron	Higginbotham	McElhaney	Turnham
Cherner	Hill	Money	Yeilding
Cook (Coffee)	Hobbie	Pearson	—30

And the bill:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Paulk
Adwell	Dobbs	Jackson (T)	Pearson
Agee	Doss	Jones	Pennington
Bank	Downing	Kilgore	Perloff
Bassett	Drake	Lemley	Pruitt
Beck	Edington	Lybrand	Robertson
Berryman (R)	Foshee	Lyons	Sessions
Berryman (W)	Gafford	Malone	Shumate
Blanton	Garrett	Manley	Slate
Bowers	Gloor	Marr	Smith
Brannan	Graham	Mathews	Snell
Brassell	Grainger	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Cameron	Hain	McElhaney	Steagall
Cherner	Hardin	Meade	Stembridge
Collier	Harper	Meeks	Stubbs
Collins (C)	Headley	Merrill	Tuck
Collins (W)	Higginbotham	Money	Turnham
Cook (Coffee)	Hill	Nettles	Waggoner
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Weeks
Crane	Holman	Owens (W)	Williams
Culver	House	Owens (W.E.)	Young
			—88

And the bill:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor

more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pennington
Adwell	Drake	Jones	Perloff
Agee	Edington	Kilgore	Pruitt
Bank	Ellis	Lemley	Robertson
Bassett	Foshee	Lybrand	Sessions
Beck	Gafford	Malone	Shumate
Berryman (R)	Garrett	Manley	Slate
Berryman (W)	Gloor	Marr	Smith
Blanton	Graham	Mathews	Snell
Bowers	Grainger	Mays	Springer
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McElhaney	Steagall
Cameron	Hardin	Meade	Stubbs
Collier	Harper	Meeks	Tuck
Collins (C)	Harris	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Coffee)	Higginbotham	Nettles	Watkins
Cook (Jefferson)	Hill	Owen (Baldwin)	Weeks
Crane	Hobbie	Owens (W)	Williams
Culver	Holman	Owens (W.E.)	Wright
Dill	House	Paulk	Yeilding
Dobbs	Jackson (F)	Pearson	Young
Doss			—89

And the bill:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Garrett	Jackson (F)
Adwell	Collins (W)	Gloor	Jackson (T)
Agee	Cook (Coffee)	Graham	Jones
Bank	Cook (Jefferson)	Grainger	Kilgore
Bassett	Crane	Grayson	Lemley
Berryman (R)	Culver	Hain	Lybrand
Berryman (W)	Dill	Hardin	Malone
Blanton	Dobbs	Harper	Manley
Bowers	Doss	Harris	Marr
Brannan	Downing	Headley	Mathews
Brassell	Drake	Higginbotham	Mays
Brown	Edington	Hill	McCorquodale
Cameron	Ellis	Hobbie	McElhaney
Cherner	Foshee	Holman	Meade
Collier	Gafford	House	Meeks

Merrill	Pennington	Snell	Waggoner
Money	Perloff	Springer	Watkins
Nettles	Pruitt	Starnes	Weeks
Owen (Baldwin)	Robertson	Steagall	Williams
Owens (W)	Sessions	Stembridge	Wright
Owens (W.E.)	Shumate	Tuck	Yeilding
Paulk	Slate	Turnham	Young
Pearson	Smith		—90

And the bill:

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Adwell	Drake	Kilgore	Pennington
Agee	Edington	Laxson	Perloff
Bank	Ellis	Lemley	Pruitt
Bassett	Foshee	Lybrand	Robertson
Beck	Gafford	Lyons	Sessions
Berryman (R)	Garrett	Malone	Shumate
Berryman (W)	Gloor	Manley	Slate
Blanton	Graham	Marr	Smith
Brannan	Grainger	Mathews	Snell
Brassell	Grayson	Mays	Starnes
Cameron	Hain	McCorquodale	Steagall
Cherner	Hardin	McElhaney	Stembridge
Collier	Harper	Meade	Stubbs
Collins (C)	Harris	Meeks	Tuck
Collins (W)	Headley	Merrill	Turnham
Cook (Coffee)	Higginbotham	Money	Waggoner
Cook (Jefferson)	Hill	Nettles	Weeks
Crane	Hobbie	Owen (Baldwin)	Williams
Culver	Holman	Owens (W)	Wright
Dill	House	Owens (W.E.)	Yeilding
Dobbs	Jackson (F)	Paulk	Young
Doss	Jackson (T)		—90

And the bill:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Cameron
Adwell	Beck	Brannan	Cherner
Agee	Berryman (R)	Brassell	Collier
Bank	Berryman (W)	Brown	Collins (W)

Cook (Coffee)	Hardin	Manley	Pruitt
Cook (Jefferson)	Harper	Marr	Robertson
Crane	Harris	Mathews	Sessions
Culver	Headley	Mays	Shumate
Dill	Higginbotham	McCorquodale	Slate
Dobbs	Hill	McElhaney	Smith
Doss	Hobbie	Meade	Snell
Downing	Holman	Meeks	Starnes
Drake	House	Merrill	Steagall
Edington	Jackson (F)	Money	Stubbs
Ellis	Jackson (T)	Nettles	Tuck
Foshee	Jones	Owen (Baldwin)	Turnham
Gafford	Kilgore	Owens (W)	Waggoner
Garrett	Laxson	Paulk	Weeks
Graham	Lemley	Pearson	Williams
Grainger	Lybrand	Pennington	Yeilding
Grayson	Lyons	Perloff	Young
Hain	Malone		

—86

And the bill:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (R)	Foshee	Lybrand	Sessions
Berryman (W)	Gafford	Lyons	Shumate
Blanton	Garrett	Malone	Slate
Brannan	Gloor	Manley	Smith
Brassell	Graham	Marr	Snell
Brown	Grainger	Mathews	Springer
Burgess	Grayson	Mays	Starnes
Cameron	Hain	McCorquodale	Steagall
Cherner	Hardin	McElhaney	Stubbs
Collier	Harper	Meade	Tuck
Collins (C)	Harris	Meeks	Turnham
Collins (W)	Headley	Merrill	Waggoner
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Owen (Baldwin)	Wood
Culver	Holman	Owens (W)	Wright
Dill	House	Owens (W.E.)	Yeilding
Dobbs	Jackson (F)	Paulk	Young

—92

And the bill:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer

in the county and providing for the disposition of the proceeds of the sale thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pennington
Adwell	Doss	Jones	Perloff
Agee	Downing	Laxson	Pruitt
Bank	Drake	Lemley	Robertson
Bassett	Edington	Lybrand	Sessions
Beck	Ellis	Malone	Shumate
Berryman (R)	Foshee	Manley	Slate
Berryman (W)	Gafford	Marr	Smith
Blanton	Garrett	Mathews	Snell
Brannan	Gloor	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Brown	Grainger	McElhaney	Stembridge
Burgess	Grayson	Meade	Stubbs
Cameron	Hain	Meeks	Tuck
Cherner	Hardin	Merrill	Turnham
Collier	Harper	Money	Waggoner
Collins (C)	Harris	Nettles	Weeks
Collins (W)	Headley	Owen (Baldwin)	Williams
Cook (Coffee)	Higginbotham	Owens (W)	Wood
Cook (Jefferson)	Hobbie	Owens (W.E.)	Wright
Crane	Holman	Paulk	Yeilding
Culver	House	Pearson	Young
Dill	Jackson (F)		—90

And the bill:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Graham	Laxson
Adwell	Cook (Coffee)	Grainger	Lemley
Agee	Cook (Jefferson)	Grayson	Lybrand
Bank	Crane	Hain	Lyons
Bassett	Culver	Hardin	Malone
Beck	Dill	Harper	Manley
Berryman (R)	Dobbs	Harris	Marr
Blanton	Doss	Headley	Mathews
Brannan	Downing	Higginbotham	Mays
Brassell	Drake	Hill	McElhaney
Brown	Edington	Hobbie	Meade
Burgess	Ellis	Holman	Money
Cameron	Foshee	House	Nettles
Cherner	Gafford	Jackson (F)	Owen (Baldwin)
Collier	Garrett	Jones	Owens (W)
Collins (C)	Gloor	Kilgore	Owens (W.E.)

Paulk	Shumate	Steagall	Weeks
Pearson	Slate	Stembridge	Williams
Pennington	Smith	Stubbs	Wood
Perloff	Snell	Tuck	Wright
Pruitt	Springer	Turnham	Yeilding
Robertson	Starnes	Waggoner	Young
Sessions			

—89

MOTION TO BRING UP H. 629 LOST

The motion of Mr. Merrill to suspend the rules and bring up H. 629 out of order was lost.

Yeas 45; Nays 37.

Yeas:

Mr. Speaker	Collins (W)	Hill	Owen (Baldwin)
Agee	Cook (Jefferson)	Holman	Paulk
Bank	Culver	House	Pruitt
Beck	Dill	Lybrand	Sessions
Berryman (W)	Downing	Marr	Shumate
Brannan	Drake	Mathews	Slate
Brassell	Edington	Mays	Smith
Brown	Graham	Meade	Springer
Burgess	Grayson	Meeks	Starnes
Cameron	Hain	Money	Steagall
Collier	Headley	Nettles	Tuck
Collins (C)			

—45

Nays:

Messrs.:	Garrett	Jones	Pearson
Adwell	Gloor	Kilgore	Pennington
Bassett	Grainger	Lemley	Perloff
Blanton	Hardin	Lyons	Snell
Cherner	Harper	Malone	Stubbs
Cook (Coffee)	Harris	McCorquodale	Turnham
Crane	Higginbotham	McElhaney	Watkins
Ellis	Hobbie	Owens (W)	Weeks
Foshee	Jackson (F)	Owens (W.E.)	Yeilding
Gafford	Jackson (T)		

—37

MOTION TO ADJOURN LOST

The motion of Mr. Doss that the House adjourn until Tuesday, June 24, 1969, at 2 o'clock P. M., was lost.

Yeas 44; Nays 46.

Yeas:

Mr. Speaker	Downing	Mathews	Shumate
Beck	Drake	Mays	Slate
Berryman (R)	Gafford	Meade	Starnes
Blanton	Graham	Merrill	Steagall
Brannan	Hain	Money	Tuck
Brassell	Harper	Owen (Baldwin)	Waggoner
Burgess	Headley	Owens (W)	Weeks
Crane	Holman	Owens (W.E.)	Williams
Dill	Kilgore	Paulk	Wood
Dobbs	Laxson	Pearson	Yeilding
Doss	Manley	Perloff	Young

—44

Nays:

Messrs.:	Ellis	Jackson (F)	Nettles
Adwell	Foshee	Jackson (T)	Pennington
Agee	Garrett	Jones	Robertson
Bank	Gloor	Lemley	Sessions
Berryman (W)	Grainger	Lybrand	Smith
Cameron	Grayson	Lyons	Snell
Cherner	Hardin	Malone	Springer
Collins (W)	Harris	Marr	Stubbs
Cook (Coffee)	Higginbotham	McCorquodale	Turnham
Cook (Jefferson)	Hill	McElhaney	Watkins
Culver	Hobbie	McLain	Wright
Edington	House	Meeks	

—46

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Goodwyn and Vacca:

S. 124. To further provide for supernumerary district attorneys.

Also:

By Messrs. Goodwyn and Vacca:

S. 125. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

Also:

By Messrs. Goodwyn, Childs, Pierce, Radney, Branyon, Givhan, McCarley, Hawkins, Leonard, Bailes, Folsom, Vacca, Skidmore, Turner:

S. 119. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, in relation to papers to be recorded on filing and when record used on trial of cause.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read on time and referred to appropriate Standing Committees as follows:

S. 124. Judiciary.

S. 125. Judiciary.

S. 119. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. McDermott and Engel:

S. 367. To amend Section 2 of Act No. 287, Acts of Alabama, First Special Session, 1965 (p. 395), entitled, "An Act Relating to cities having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; affecting and regulating the commission form of government which now exists or which may hereafter exist in any such cities; prescribing the compensation of the members of the boards of commissioners; prescribing and imposing a qualifying fee upon persons who desire to become candidates for the office of commissioner."

Also:

By Mr. McCarley:

S. 214. To withdraw and take away all authority, power, and duties of constables relative to criminal and quasi-criminal matters in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; repealing conflicting laws.

Also:

By Mr. McCarley:

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

Also:

By Mr. McCarley:

S. 216. To create the office of warrant clerk in all counties having populations of not less than 31,500 nor more than 32,200 according to the most recent federal decennial census; to provide for his appointment, tenure, duties and compensation; and to repeal conflicting laws.

Also:

By Messrs. McDermott and Engel:

S. 368. To provide for the compensation of jurors in Mobile County; repealing conflicting laws and specifically repealing Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68).

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Mobile County; repealing conflicting laws and specifically repealing Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68).

Be It Enacted by the Legislature of Alabama:

Section 1. The per diem of jurors, grand and petit, in Mobile County, shall be twelve dollars ($12), which sum shall be the entire compensation of each juror and in lieu of all other per diem, mileage, ferriage and toll heretofore authorized.

Section 2. When proved by oath of the juror before the clerk of the court, it shall be the duty of said clerk to give each juror a certificate stating the number of days the juror has served and the amount of compensation to which he is entitled. Such certificate shall be received in payment of county taxes and other county dues, and shall be payable out of the county treasury.

Section 3. All laws and parts of laws in conflict with this act are hereby repealed and Act No. 62, H. 157, Regular Session 1907, (Acts 1907, p. 68), is specifically repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers, printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register April 11, 18, 25, May 2, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 2 day of May, 1969.

S. S. GATLIN,
Notary Public.

Also:

By Mr. Jackson:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

By Mr. Jackson:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

Also:

By Mr. Clark:

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the Sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama at the next regular or special session thereof, to-wit:

To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 235, S. 97, Regular Session 1967, is hereby amended to read as follows:

2. The sheriff of Barbour County may also appoint or employ two jailers whose compensation shall be paid from the county treasury. The salary of each of such jailers shall be fixed by the sheriff, subject to the approval of the board of revenue or other like governing body of Barbour County, at an amount not exceeding $300 a month.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice notice attached was published in said newspaper 4 times, the same appearing in the issues dated: April 15, 22, 29, and May 6.

JOEL P. SMITH.

Sworn to and subscribed before me this the 26 day of May, 1969

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

Also:

By Messrs. Goodwyn and Pierce:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 300,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and NO/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Also:

By Mr. Branyon:

S. 409. Relating to counties having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

Also:

By Mr. Skidmore:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Also:

By Mr. Lolley:

S. 418. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and inactment made:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Section 1: From and after the effective date of this Act each candidate for the office County Commissioner of Pike County at the

time of his qualification as a candidate for such office shall reside in and be a qualified elector of the district he is a candidate to represent; but all County Commissioners shall be elected by the qualified electors of the county at large.

Section 2: All laws and parts of laws and laws in conflict with the provisions of this act are to the extent of the conflict repealed.

Section 3: This act shall become effective immediately upon its passage and its approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
PIKE COUNTY

Before me, Maurine Bryan, a Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill to be Entitled An Act Election County Commissioners was published in said newspaper 4 times, the same appearing in the issues dated: May 12, 19, 26, June 2.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 2 day of June 1969.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

Also:

By Mr. Jackson:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

Also:

By Messrs. Engel and McDermott:

S. 429. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immdiately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Also:

By Mr. Albea:

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the Town the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

65.0 Acres in Section 4, Township 15 South, Range 8 East, described as being the NE ¼ of the NE¼ of said Section 4 and all of the SE ¼ of the NE ¼ of Section 4 lying North of Parker Boulevard as shown by the Map of Shannon Hills Subdivision recorded in the Probate Office of Calhoun County, Alabama, in Plat Book G at Page 34. Also: All that part of the East 4 acres of the South Half of the SW¼ of the NE¼ of Section 4, Township 15 South, Range 8 East, lying West of Parker Boulevard.

SECTION 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
CALHOUN COUNTY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 11, 18, 25 and May 2, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and Subscribed before me Lola J. Bright this 23 day of May, 1969.

LOLA J. BRIGHT,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 367. Local Legislation No. 3.
S. 214. Local Legislation No. 1.
S. 215. Local Legislation No. 1.
S. 216. Local Legislation No. 1.
S. 368. Local Legislation No. 3.
S. 375. Local Legislation No. 1.
S. 376. Local Legislation No. 1.
S. 377. Local Legislation No. 1.
S. 402. Local Legislation No. 4.
S. 409. Local Legislation No. 1.
S. 410. Local Legislation No. 1.
S. 418. Local Legislation No. 1.
S. 422. Local Legislation No. 1.
S. 429. Local Legislation No. 3.
S. 431. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 9. Honoring the Veterans of World War I of the State of Alabama.

Also:

S. J. R. 10. Commending the Birmingham Fire Department and the Birmingham City Officials.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 8. Appropriating expense money to cover expenses of the delegation of legislators to attend the annual Work Conference on Southern Regional Education.

Also:

S. J. R. 22. Commending the Ninety-ninth Anniversary of the Annual Masonic Day Celebration in Florala.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 116. Relating to counties having populations of not less than 14,900 nor more than 15,200; amending Act No. 122, H. 91, approved March 29, 1965 (Acts of Alabama, First Special Session 1965, p. 175).

Also:

S. 275. Proposing an amendment to the Constitution of Alabama relative to a special district ad valorem tax for public school purposes in each school district of Calhoun County except the school district comprising the City of Anniston.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

PERMISSION GRANTED

At the request of Mr. Ellis, permission was granted to have the Journal show he was debating a bill when H. 274 was passed, and had he been at his desk he would have voted Yea.

ADJOURNMENT

On motion of Mr. Slate, the House adjourned until Tuesday, June 24, 1969, at 2 o'clock P. M.

Yeas 45; Nays 42.

Yeas:

Mr. Speaker	Brassell	Downing	Holman
Agee	Burgess	Drake	Kilgore
Bassett	Collins (W)	Gafford	Laxson
Beck	Crane	Graham	Manley
Berryman (R)	Dill	Hain	Mays
Bowers	Dobbs	Hardin	Meade
Brannan	Doss	Headley	Merrill

Money	Perloff	Slate	Waggoner
Owen (Baldwin)	Pruitt	Starnes	Weeks
Owens (W)	Robertson	Stembridge	Wood
Paulk	Shumate	Tuck	Young
Pearson			—45

Nays:

Messrs.:	Foshee	Jackson (T)	Nettles
Adwell	Garrett	Jones	Pennington
Bank	Gloor	Lemley	Sessions
Blanton	Grainger	Lybrand	Smith
Cameron	Grayson	Lyons	Snell
Cherner	Harris	Malone	Springer
Cook (Coffee)	Higginbotham	Marr	Stubbs
Cook (Jefferson)	Hill	McCorquodale	Turnham
Culver	Hobbie	McElhaney	Wright
Edington	House	McLain	Yeilding
Ellis	Jackson (F)	Meeks	—42

FOURTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 24, 1969

The House met pursuant to adjournment.

PRAYER

The session was opend with prayer by the Reverend H. B. Shepherd, Pastor, First Baptist Church, Fairhope, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Adwell	Doss	Jackson (T)	Pennington
Agee	Downing	Jones	Perloff
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Laxson	Robertson
Beck	Ellis	Lemley	Sessions
Berryman (R)	Fine	Lybrand	Shumate
Berryman (W)	Foshee	Lyons	Slate
Blanton	Gafford	Manley	Smith
Bowers	Garrett	Marr	Springer
Brannan	Gloor	Mathews	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Burgess	Grayson	McDonald	Stubbs
Cameron	Hain	McElhaney	Tuck
Cherner	Hardin	McLain	Turnham
Collier	Harper	Meade	Waggoner
Collins (C)	Harris	Melton	Watkins
Collins (W)	Haygood	Merrill	Weeks
Cook (Coffee)	Headley	Money	Williams
Cook (Jefferson)	Higginbotham	Nettles	Wood
Crane	Hill	Owen (Baldwin)	Wright
Crawford	Hobbie	Owens (W)	Yeilding
Culver	House	Owens (W.E.)	Young
Dill			—97

A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 55. Relative to adjournment of the two Houses.

Also:

H. J. R. 56. Mourning the death of Honorable Curtis Adrian Gentry, Jr., a native of Mobile, Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

Also:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganization of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Also:

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Also:

H. 242. To provide for the compensation of jurors in Cullman County.

Also:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

Also:

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Also:

H. 75. To provide for the compensation of jurors in Geneva County.

Also:

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Also:

H. 77. To amend Act No. 207, H. 575, aprpoved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Also:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Also:

H. 208. To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

Also:

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Also:

H. 326. Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

Also:

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y. M. C. A. building.

Also:

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Also:

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

Also:

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

Also:

H. 610. Relating to counties having population of not less than 25,400 nor more than 25,600, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Also:

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Also:

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Also:

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Also:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

Also:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

Also:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

Also:

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution and ordered same returned to the House with a favorable report:

By Messrs. Brown, Culver, Bank and Robertson:

H. J. R. 57. WHEREAS William P. Bloom, internationally known Tuscaloosa businessman and civic leader, passed away on June 15, 1969 in Caracas, Venezuela; and

WHEREAS Mr. Bloom's activities have transcended local and state affairs and have affected international relations, in that he has influenced legislation and policy relative to Israel, and has been cited by the Israel government for his activities on behalf of that country; and

WHEREAS Mr. Bloom was, for many years, active in the Red Cross, Rotary, Zamora Temple, Federated Jewish Charities, and B'nai Brith and has served ably as a Council Commissioner of the Boy Scouts, President of the Tuscaloosa Merchants Bureau, a director of the Chamber of Commerce, President of Temple Emanuel, and has held many other important posts in civic, business, religious, and charitable organizations; now therefor

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of William P. Bloom, to whom his city, his state, and his nation are deeply indebted, and express our sympathy to his family and friends.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the family of William P. Bloom.

And H. J. R. 57 was adopted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had originated and acted on the following resolution, and ordered same submitted to the House with the recommendation that it be adopted:

By Rules Committee:

H. R. 59. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the salary of the Secretary of the Judiciary Committee shall be set by the Clerk of the House at the same salary now paid to the Secretary of the Ways and Means Committee.

On motion of Mr. Merrill, the rules were suspended and H. R. 59 was adopted.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had originated and acted on the following resolution, and ordered same returned to the House with the recommendation that it be adopted.

By Rules Committee:

H. R. 60. BE IT RESOLVED BY THE HOUSE, That the following business in the order named be made special, paramount and continuing order of business for the Fourteenth Legislative Day, taking precedence over any other business in the House on this day:

UNCONTESTED LOCAL BILLS

SB 182, Page 89

SB 184, Page 90

SB 189, Page 92

SB 276, Page 95

SB 364, Page 99

SB 365, Page 99

SB 366, Page 100

SB 307, Page 98

SB 241, Page 92

SB 301, Page 96

SB 302, Page 97

SB 185, Page 90

SB 186, Page 91

SB 230, Page 94

SB 372, Page 100

SB 387, Page 101

SB 289, Page 96

SB 250, Page 95

SB 231, Page 40
SB 236, Page 93
SB 183, Page 89
HB 311, Page 5
HB 315, Page 6
HB 316, Page 6
HB 279, Page 33
HB 413, Page 61
HB 629, Page 72
HB 459, Page 65
HB 462, Page 66
HB 108, Page 22
HB 519, Page 67
HB 510, Page 42
HB 511, Page 42
HB 276, Page 80
HB 396, Page 85
HB 288, Page 13
HB 293, Page 15
HB 534, Page 32
HB 653, Page 85
HB 248, Page 52
HB 247, Page 53
HB 464, Page 41
HB 70, Page 31
HB 71, Page 31
HB 74, Page 74
HB 358, Page 29
HB 359, Page 29
HB 236, Page 19
HB 298, Page 10
HB 299, Page 10
HB 300, Page 11
HB 301, Page 11
HB 302, Page 11
HB 303, Page 12
HB 141, Page 20
HB 169, Page 82
HB 362, Page 84
HB 217, Page 32
SB 303, Page 85

And H. R. 60 was adopted.

Yeas 68; Nays 6.

Yeas:

Mr. Speaker	Crawford	Headley	Paulk	
Adwell	Culver	Hobbie	Pearson	
Agee	Dill	House	Pennington	
Bank	Dobbs	Jones	Pruitt	
Bassett	Doss	Kilgore	Sessions	
Beck	Downing	Laxson	Shumate	
Berryman (R)	Edington	Lemley	Slate	
Berryman (W)	Ellis	Lybrand	Smith	
Blanton	Fine	Lyons	Snell	
Brannan	Gafford	Manley	Springer	
Brassell	Gloor	Mays	Starnes	
Brown	Graham	McCorquodale	Stembridge	
Cameron	Grainger	McElhaney	Tuck	
Collier	Hain	Melton	Weeks	
Cook (Coffee)	Hardin	Merrill	Wood	
Cook (Jefferson)	Harper	Money	Yeilding	
Crane	Harris	Owen (Baldwin)	Young	—68

Nays:

Messrs.:	Grayson	Nettles	Wright	
Garrett	Higginbotham	Turnham		—6

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirteenth legislative day was approved.

BILLS ON THIRD READING

And the bill:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was taken up.

On request of Mr. Crawford, unanimous consent was granted to carry over the bill, H. 255, to the Sixteenth Legislative Day.

And the bill:

H. 69. To authorize and provide that Clerks of Circuit Courts in all Counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census, may select, designate and appoint one of his present assistants to be and serve as Assistant Chief Clerk of the Criminal Division of Circuit Court,

and one of his present assistants to be and serve as Assistant Chief Clerk of the Civil Division of Circuit Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dill	Kilgore	Pennington
Adwell	Dobbs	Lemley	Perloff
Agee	Doss	Lybrand	Robertson
Bank	Downing	Manley	Sessions
Bassett	Edington	Marr	Shumate
Berryman (R)	Ellis	Mathews	Slate
Berryman (W)	Fine	Mays	Snell
Blanton	Gafford	McCorquodale	Starnes
Brannan	Garrett	McElhaney	Stembridge
Brassell	Gloor	Melton	Stubbs
Brown	Grainger	Merrill	Tuck
Cameron	Grayson	Money	Turnham
Cherner	Hain	Nettles	Waggoner
Collier	Hardin	Owen (Baldwin)	Watkins
Collins (C)	Harper	Owens (W)	Weeks
Cook (Jefferson)	Higginbotham	Owens (W.E.)	Wood
Crane	Hobbie	Paulk	Yeilding
Culver	Jones	Pearson	Young

—72

MOTION TO BRING UP H. 695 ADOPTED

The motion of Mr. Wood to suspend the rules in order to take up out of order the bill, H. 695, was adopted.

Yeas 70; Nays 4.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Paulk
Adwell	Culver	Hill	Pearson
Agee	Dill	Hobbie	Perloff
Bank	Dobbs	House	Robertson
Bassett	Doss	Jones	Shumate
Beck	Downing	Kilgore	Slate
Berryman (R)	Drake	Laxson	Smith
Berryman (W)	Ellis	Lemley	Springer
Blanton	Fine	Lyons	Starnes
Bowers	Garrett	Marr	Stembridge
Brannan	Graham	Mays	Stubbs
Brassell	Grainger	McDonald	Turnham
Cameron	Grayson	Melton	Waggoner
Cherner	Hardin	Money	Watkins
Collier	Harper	Owen (Baldwin)	Weeks
Cook (Coffee)	Harris	Owens (W)	Wood
Cook (Jefferson)	Haygood	Owens (W.E.)	Wright
Crane	Headley		

—70

Nays:

Messrs.:	Edington	Nettles	Pennington
Collins (C)			

—4

Mr. Edington moved that the bill, H.695, be carried over to the Sixteenth Legislative Day.

MOTION TO TABLE ADOPTED

On motion of Mr. Marr, the motion of Mr. Edington to carry over the bill, H. 695, was tabled.

Yeas 73; Nays 3.

Yeas:

Mr. Speaker	Dill	Hobbie	Pearson
Adwell	Dobbs	House	Pennington
Agee	Doss	Jones	Perloff
Bank	Downing	Kilgore	Robertson
Bassett	Drake	Lemley	Shumate
Beck	Ellis	Lybrand	Slate
Berryman (R)	Fine	Lyons	Smith
Berryman (W)	Garrett	Marr	Springer
Bowers	Graham	Mays	Starnes
Brannan	Grainger	McCorquodale	Stembridge
Brassell	Grayson	McDonald	Stubbs
Brown	Hardin	McLain	Tuck
Cameron	Harper	Melton	Turnham
Cherner	Harris	Money	Waggoner
Collier	Haygood	Owen (Baldwin)	Weeks
Cook (Coffee)	Headley	Owens (W)	Wood
Cook (Jefferson)	Higginbotham	Owens (W.E.)	Wright
Crane	Hill	Paulk	Young
Crawford			—73

Nays: Messrs. Collins (C), Edington and Nettles —3

And the bill:

H. 695. To propose and provide for the submission of an amendment to the Constitution of Alabama relating to Mobile County and making a change in the purposes for which may be levied and distributed the special tax authorized by the amendment to the Constitution of Alabama known as Amendment XVIII as heretofore amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 3.

Yeas:

Mr. Speaker	Culver	Headley	Owens (W)
Adwell	Dill	Higginbotham	Owens (W.E.)
Agee	Doss	Hill	Paulk
Bank	Downing	House	Pearson
Bassett	Drake	Kilgore	Perloff
Beck	Ellis	Lemley	Robertson
Berryman (R)	Fine	Lyons	Slate
Berryman (W)	Gafford	Malone	Smith
Bowers	Garrett	Marr	Snell
Brannan	Gloor	Mays	Springer
Brassell	Graham	McCorquodale	Stembridge
Cameron	Grainger	McDonald	Stubbs
Collier	Hardin	McLain	Waggoner
Cook (Coffee)	Harper	Melton	Wood
Cook (Jefferson)	Harris	Money	Wright
Crane	Haygood	Owen (Baldwin)	Young
Crawford			—65

Nays: Messrs. Collins (C), Edington and Nettles —3

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Also:

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Also:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

Also:

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

Also:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Also:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Also:

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Also:

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

Also:

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Also:

H. 259. To relieve the court of county commissioners, board of revenue or other like governing body of Greene County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Also:

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Also:

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 507. Relating to the office of sheriff in counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

Also:

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Also:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the

act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Also:

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Also:

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

Also:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Also:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000, to appoint the superintendent of education for such counties.

Also:

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

Also:

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

Also:

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,500 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

On motion of Mr. Bowers, leave of absence was granted to Mr. Holman due to illness in his family.

MOTION TO BRING UP H. 697 ADOPTED

The motion of Mr. Wood to suspend the rules and bring up H. 697 out of order was adopted.

Yeas 69; Nays 4.

Yeas:

Mr. Speaker	Dill	Hill	Owens (W.E.)	
Adwell	Dobbs	Hobbie	Paulk	
Agee	Doss	House	Pearson	
Bank	Downing	Kilgore	Pennington	
Bassett	Drake	Lemley	Perloff	
Beck	Ellis	Lybrand	Robertson	
Berryman (R)	Fine	Lyons	Shumate	
Berryman (W)	Garrett	Marr	Slate	
Brannan	Graham	Mays	Smith	
Brassell	Grainger	McCorquodale	Snell	
Brown	Grayson	McDonald	Starnes	
Cameron	Hardin	McLain	Stembridge	
Cherner	Harper	Melton	Stubbs	
Collier	Harris	Merrill	Turnham	
Cook (Jefferson)	Haygood	Money	Waggoner	
Crane	Headley	Owen (Baldwin)	Wood	
Crawford	Higginbotham	Owens (W)	Young	
Culver				—69

Nays:

Messrs.:	Gloor	McElhaney	Nettles	
Edington				—4

And the bill:

H. 697. To propose and provide for the submission of an amendment to the Constitution of Alabama authorizing Mobile County under certain conditions to issue its general obligation bonds not exceeding $3,000,000 in principal amount for certain public buildings in the said county, to be additionally secured by a pledge of the special ad valorem tax provided for in Amendment XVIII to the said constitution, as amended, providing that none of the said bonds shall be chargeable against the limitation on the indebtedness of the said county contained in Section 224 of the said constitution, and specifying certain details pertaining to the said bonds and the sale thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 2.

Yeas:

Mr. Speaker	Berryman (W)	Crane	Drake
Adwell	Brannan	Crawford	Ellis
Agee	Brassell	Culver	Fine
Bank	Brown	Dill	Gafford
Bassett	Cameron	Dobbs	Garrett
Beck	Collier	Doss	Graham
Berryman (R)	Cook (Jefferson)	Downing	Grainger

Grayson	Lemley	Owen (Baldwin)	Snell	
Hardin	Lybrand	Owens (W)	Springer	
Harper	Lyons	Owens (W.E.)	Starnes	
Harris	Marr	Paulk	Stembridge	
Haygood	Mays	Pearson	Stubbs	
Headley	McCorquodale	Pennington	Turnham	
Higginbotham	McDonald	Perloff	Waggoner	
Hill	McLain	Robertson	Wood	
Hobbie	Melton	Shumate	Wright	
House	Merrill	Slate	Young	
Kilgore	Money	Smith		—71

Nays: Messrs. Edington and Nettles. —2

MOTION TO BRING UP H. 236 LOST

The motion of Mr. Graham to suspend the rules and bring up H. 236 out of order was lost.

Yeas 53; Nays 17.

Yeas:

Mr. Speaker	Doss	Higginbotham	Owens (W.E.)	
Agee	Downing	Hill	Paulk	
Bank	Drake	Hobbie	Pearson	
Bassett	Edington	Laxson	Perloff	
Berryman (R)	Fine	Lemley	Robertson	
Berryman (W)	Garrett	Lyons	Sessions	
Brannan	Graham	Malone	Slate	
Brassell	Grainger	Marr	Starnes	
Brown	Grayson	Mays	Stembridge	
Cameron	Hardin	McDonald	Stubbs	
Collier	Harris	McLain	Tuck	
Collins (W)	Haygood	Melton	Wood	
Crane	Headley	Merrill	Young	
Dill				—53

Nays:

Messrs.:	House	Owen (Baldwin)	Waggoner	
Cherner	Kilgore	Owens (W)	Watkins	
Cook (Jefferson)	Lybrand	Snell	Weeks	
Ellis	McCorquodale	Springer	Yeilding	
Gloor	Nettles			—17

BILLS ON THIRD READING RESUMED

And the bill:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Bassett	Brassell	Collier
Adwell	Berryman (R)	Brown	Collins (C)
Agee	Berryman (W)	Cameron	Collins (W)
Bank	Brannan	Cherner	Cook (Coffee)

Cook (Jefferson)	Harper	McElhaney	Slate
Crane	Harris	McLain	Smith
Crawford	Haygood	Merrill	Snell
Culver	Higginbotham	Money	Starnes
Doss	Hill	Nettles	Stembridge
Downing	Hobbie	Owen (Baldwin)	Stubbs
Drake	House	Owens (W.E.)	Tuck
Edington	Kilgore	Paulk	Turnham
Ellis	Lemley	Pearson	Waggoner
Garrett	Lybrand	Pennington	Weeks
Gloor	Lyons	Perloff	Wood
Grainger	Malone	Pruitt	Wright
Grayson	Marr	Robertson	Yeilding
Hain	Mays	Sessions	Young
Hardin	McCorquodale	Shumate	—75

And the bill:

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Fine	Lemley	Pruitt
Agee	Gafford	Lybrand	Robertson
Bank	Garrett	Lyons	Sessions
Bassett	Gloor	Malone	Shumate
Berryman (R)	Graham	Marr	Slate
Berryman (W)	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Snell
Brassell	Hain	McDonald	Springer
Brown	Hardin	McElhaney	Starnes
Cameron	Harper	McLain	Stembridge
Cherner	Harris	Merrill	Stubbs
Collier	Haygood	Money	Tuck
Collins (C)	Higginbotham	Nettles	Turnham
Cook (Coffee)	Hill	Owen (Baldwin)	Waggoner
Crane	Hobbie	Owens (W.E.)	Weeks
Crawford	House	Paulk	Wood
Culver	Jones	Pearson	Wright
Downing	Kilgore	Pennington	Yeilding
Drake	Laxson	Perloff	Young
Ellis			—77

And the bill:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Fine	Lemley	Pruitt
Agee	Gafford	Lybrand	Robertson
Bank	Garrett	Lyons	Sessions
Bassett	Gloor	Malone	Shumate
Berryman (R)	Graham	Marr	Slate
Berryman (W)	Grainger	Mays	Snell
Brannan	Grayson	McCorquodale	Springer
Brassell	Hain	McDonald	Starnes
Brown	Hardin	McElhaney	Stembridge
Cameron	Harper	McLain	Stubbs
Cherner	Harris	Merrill	Tuck
Collier	Haygood	Money	Turnham
Collins (C)	Higginbotham	Nettles	Waggoner
Cook (Coffee)	Hill	Owen (Baldwin)	Weeks
Crawford	Hobbie	Owens (W.E.)	Williams
Culver	House	Paulk	Wood
Doss	Jones	Pearson	Wright
Downing	Kilgore	Pennington	Yeilding
Drake	Laxson	Perloff	Young
Ellis			

—77

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Also:

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Also:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Also:

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Also:

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

Also:

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Also:

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

Also:

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Also:

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Headley, the house recessed at 2:45 P. M., for fifteen minutes.

HOUSE RECONVENES

The hour of 3 P. M. having arrived, the House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 326. Relating to Russell County: To create and establish in Russell County a court with county-wide limited jurisdiction of certain criminal cases and civil actions at law to be known as the "Court of Common Pleas of Russell County," defining its jurisdiction, providing it with officers and prescribing their powers, duties, compensation, terms of office, and the manner of their selection, appointment or election; regulating its procedure and process and the return of warrants thereto; abolishing the existing county court of Russell County, and providing for the transfer and trial of cases pending in the abolished court to the newly created Court of Common Pleas of Russell County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 350. Relating to all counties having populations of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to prescribe the qualifications of the county superintendent of education in each such county; and to regulate his compensation and expense allowances.

Also:

H. 591. To amend further Section 1 of Act No. 99, H. 437, Regular Session 1957, as amended, an act fixing the compensation of the county superintendent of education of Washington County, relative to the amount of compensation of said superintendent.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 16. To amend Section 3 of Act No. 441, Acts of Alabama, Regular Session 1967, page 1114, relating to all counties having populations of not less than 76,000 nor more than 96,000, according to the most recent Federal decennial census, further regulating the compensation and allowances of the chairmen and members of the court of county commissioners, board of revenue, or other like county governing body; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Perloff
Agee	Edington	Lybrand	Pruitt
Bassett	Fine	Lyons	Sessions
Berryman (R)	Gafford	Marr	Shumate
Berryman (W)	Gloor	McCorquodale	Smith
Blanton	Graham	McDonald	Starnes
Bowers	Grainger	McElhaney	Stembridge
Brannan	Grayson	McLain	Stubbs
Brown	Hain	Melton	Tuck
Cameron	Hardin	Merrill	Turnham
Collier	Harris	Money	Wood
Cook (Coffee)	Higginbotham	Nettles	Wright
Crawford	Hobbie	Owen (Baldwin)	Yeilding
Culver	Jones	Pearson	Young
Dobbs	Kilgore		—58

And the bill:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Owens (W.E.)
Agee	Edington	Lemley	Pearson
Bank	Fine	Lybrand	Perloff
Bassett	Gafford	Lyons	Pruitt
Berryman (R)	Gloor	Marr	Sessions
Berryman (W)	Graham	McCorquodale	Shumate
Blanton	Grainger	McDonald	Smith
Brannan	Grayson	McElhaney	Starnes
Brown	Hain	McLain	Stembridge
Cameron	Hardin	Melton	Stubbs
Collier	Harris	Merrill	Tuck
Collins (C)	Haygood	Money	Turnham
Cook (Coffee)	Higginbotham	Nettles	Wright
Crawford	Hobbie	Owen (Baldwin)	Yeilding
Culver	Jones	Owens (W)	Young
Dobbs			

—61

And the bill:

H. 774. To provide, in any county of the State of Alabama having a population of not less than 37,000 or more than 41,000, according to the last or any subsequent decennial census for the incorporation of an authority to lease or own or otherwise acquire and provide, control and operate coliseums, parks, exhibits, exhibitions, fairgrounds and other installations, facilities, and places for the amusement, entertainment, recreation and cultural development of the citizens of said county; to provide for the management of said authority by a board of directors; to provide for the appointment, and term of office and removal of said directors; to provide for the powers of such authority; to authorize the county, or any city within such county, to lease or sell and convey to the authority real or personal property; to provide for the terms and conditions on which said authority may conduct, operate, manage or promote amusements or recreational activities; to empower such authority to construct or acquire recreational facilities and installations for amusement; to empower the authority to borrow money and issue bonds and execute mortgages or other conveyances as security for money so borrowed; to authorize the county or any city within said county to make appropriations or to lend money to the authority; and to accord the authority exemption from state, county and city taxation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Berryman (R)	Cameron	Cook (Coffee)
Agee	Berryman (W)	Cherner	Crawford
Bank	Blanton	Collier	Culver
Bassett	Brannan	Collins (C)	Dobbs

Downing	Hobbie	Meade	Sessions
Edington	Jones	Melton	Shumate
Fine	Kilgore	Merrill	Smith
Gafford	Lemley	Money	Starnes
Gloor	Lybrand	Nettles	Stembridge
Graham	Lyons	Owen (Baldwin)	Stubbs
Grainger	Marr	Owens (W)	Tuck
Grayson	McCorquodale	Owens (W.E.)	Turnham
Hain	McDonald	Pearson	Wood
Hardin	McElhaney	Perloff	Wright
Harris	McLain	Pruitt	Yeilding
Higginbotham			

—61

And the bill:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Agee	Downing	Lybrand	Perloff
Bank	Edington	Lyons	Pruitt
Bassett	Fine	Marr	Sessions
Berryman (R)	Gafford	McCorquodale	Shumate
Berryman (W)	Graham	McDonald	Smith
Blanton	Grainger	McElhaney	Starnes
Bowers	Grayson	Meade	Stembridge
Brannan	Hain	Melton	Stubbs
Brown	Hardin	Merrill	Tuck
Cameron	Harper	Money	Turnham
Cherner	Harris	Nettles	Wood
Collier	Haygood	Owen (Baldwin)	Wright
Cook (Coffee)	Higginbotham	Owens (W)	Yeilding
Crawford	Jones	Owens (W.E.)	Young
Culver			

—61

And the bill:

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cherner	Crawford
Agee	Bowers	Collins (C)	Dobbs
Bassett	Brannan	Cook (Coffee)	Downing
Berryman (R)	Cameron	Cook (Jefferson)	Edington

Fine	House	Money	Starnes
Gafford	Jones	Nettles	Stembridge
Graham	Lybrand	Owen (Baldwin)	Stubbs
Grainger	Lyons	Owens (W)	Tuck
Grayson	Marr	Owens (W.E.)	Turnham
Hain	Mathews	Pearson	Weeks
Harper	McCorquodale	Perloff	Wood
Harris	McElhaney	Pruitt	Wright
Haygood	Meade	Sessions	Yeilding
Higginbotham	Melton	Shumate	Young
Hobbie	Merrill	Smith	

—59

And the bill:

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Owens (W.E.)
Agee	Edington	Laxson	Pearson
Bank	Fine	Lybrand	Perloff
Bassett	Gafford	Lyons	Pruitt
Berryman (R)	Gloor	Marr	Sessions
Berryman (W)	Graham	Mathews	Shumate
Blanton	Grainger	McCorquodale	Smith
Brannan	Grayson	McDonald	Starnes
Brown	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Tuck
Cherner	Harper	Meade	Turnham
Collier	Harris	Melton	Weeks
Collins (C)	Haygood	Merrill	Wood
Cook (Jefferson)	Higginbotham	Money	Wright
Crawford	Hobbie	Nettles	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Downing	Jones	Owens (W)	

—67

And the bill:

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorized by a rule of the director of conservation; and providing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Cherner	Crawford
Agee	Blanton	Collier	Culver
Bank	Brannan	Collins (C)	Dobbs
Bassett	Brown	Cook (Coffee)	Downing
Berryman (R)	Cameron	Cook (Jefferson)	Edington

Fine	Jones	Merrill	Shumate
Gafford	Laxson	Money	Snell
Garrett	Lemley	Nettles	Springer
Gloor	Lybrand	Owen (Baldwin)	Starnes
Graham	Lyons	Owens (W)	Stembridge
Grainger	Malone	Owens (W.E.)	Stubbs
Grayson	Mathews	Paulk	Tuck
Hain	McCorquodale	Pearson	Turnham
Hardin	McDonald	Pennington	Weeks
Harper	McElhaney	Perloff	Wood
Harris	McLain	Pruitt	Wright
Higginbotham	Meade	Robertson	Yeilding
Hobbie	Melton	Sessions	Young
House			

—73

And the bill:

H. 138 (with substitute). Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 4, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to cities having a population of not less than 100,000 nor more than 150,000 according to the last or any subsequent federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in cities having a population of not less than 100,000 nor more than 150,000, according to the most recent federal decennial census, that the free circulation of traffic of all kinds through the streets of said municipalities within this state is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in streets of said municipalities; that the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from such municipalities, impedes the rapid and effective fighting of fires and disposition of police force, threatens irreparable loss in the values of urban property within said cities which can no longer be readily reached by vehicular traffic and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this act is hereby declared to be a public necessity. This act shall apply only to such cities.

Section 2. The council or other governing body of all cities within the State of Alabama, having a population of not less than 100,000 nor more than 150,000 according to the most recent federal decennial census, is hereby authorized and empowered to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and to develop any undeveloped property owned, leased or controlled by such city for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve, maintain, and equip parking facilities; to lease or let such facilities or any one or more of them to such tenant or tenants for such term, or terms, at such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city; to cooperate with the State, any county, city, town, public corporation, agency, department or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purpose of this act; to receive and accept grants for or in aid of the construction, extension improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, from the State, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. The council or other governing body of any such city is hereby specifically authorized to and shall lease any said parking facilities constructed under the provisions of this act; provided, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased, provide that the lessee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principal of and interest on the bonds issued to finance the parking facility, (b) to build up and maintain any reserves deemed by the council or other governing body to be advisable in connection therewith, (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance) of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement may, at the discretion of the council or other governing body, contain provisions prescribing minimum operating hours, and other terms to be observed by the lessee.

The council or other governing body of any such city shall not be authorized to operate parking facilities constructed under the provisions

of this act unless there is a default in payment of rent which has remained unpaid after ten days written notice of such default. In such an event the lease may be terminated and the city may operate such facility until such time as another suitable tenant can be obtained. After the bonds have been retired and/or the indebtedness against the parking facility has been paid in full the council or other governing body of any such city is hereby authorized to sell and convey its interest in said facility upon such terms or conditions as may be adopted by such council or other governing body.

Section 4. The principal of and interest on any bonds issued under this act shall be secured by a pledge of the revenues out of which such bonds may be made payable and may be secured by a mortgage covering all or part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the generality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings or mortgage, the terms to be included in the lease of such project, the maintenance and insurance of such project, the creation and maintenance of special funds from the revenues from such project, and the rights and remedies available in event of default to the bond holders or to the trustee under a mortgage, all as the governing body shall deem advisable and as shall not be in confict with the provisions of this act; provided, however, that in making any such agreement or provisions a city shall not have the power to obligate itself except with respect to the project and the application of the revenues therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may provide that in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues from the project in accordance with such proceedings of the provisions of such mortgage. Any such mortgage may provide also that in the event of default in such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon a municipality or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by any such city by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby; provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or if they are called for redemption, prior to the date on

which they are by their terms subject to redemption. Any refunding bonds issued under the authority of this act shall be payable solely from the revenues out of which the bonds to be refunded thereby were payable, and shall be subject to the provisions contained in Section 4 of this act, and may be secured in accordance with the provisions of Section 3 of this act.

Section 6. The proceeds from the sale of any bonds issued under authority of this act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or the interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of construction.

Section 7. Any such city subject to the provisions of this act may pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project, provided, however, that where revenue bonds are issued, or to be issued, such city shall make no contribution of money or property nor obligate itself to make any contribution of money or property which would cause such bonds to be debts within the meaning of section 225 of the Constitution of the State of Alabama or bonds within the meaning of section 222 of the Constitution of the State of Alabama.

Section 8. Bonds issued under the provisions of this act shall be legal investments for banks and insurance companies organized under the laws of this state.

Section 9. The bonds authorized by this act and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant to the provisions hereof, and all projects and revenues derived from any lease thereof shall be exempt from all taxation in the State of Alabama.

Section 10. Neither this act nor anything herein contained shall be construed as a restriction or limitation upon any powers which a municipality might otherwise have under any laws of this state, but shall be construed as cumulative; and this act shall not be construed as requiring an election by the voters of a municipality prior to the issuance of bonds hereunder by such municipality unless required by the Constitution of the State of Alabama.

Section 11. If any section, provision, or clause of this act shall be declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pennington
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lybrand	Robertson
Bassett	Gafford	Lyons	Sessions
Berryman (R)	Garrett	Malone	Shumate
Berryman (W)	Gloor	Marr	Slate
Blanton	Graham	Mathews	Smith
Brannan	Grainger	McCorquodale	Snell
Brown	Grayson	McDonald	Springer
Cameron	Hain	McElhaney	Starnes
Cherner	Hardin	Meade	Stembridge
Collier	Harper	Melton	Stubbs
Collins (C)	Harris	Merrill	Tuck
Cook (Coffee)	Higginbotham	Money	Turnham
Cook (Jefferson)	Hobbie	Nettles	Weeks
Culver	House	Owens (W)	Wood
Dobbs	Jones	Owens (W.E.)	Yeilding
Doss	Kilgore	Paulk	Young
Downing			—73

And the bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Doss	Laxson	Pearson
Adwell	Downing	Lemley	Pennington
Agee	Edington	Lybrand	Perloff
Bank	Ellis	Lyons	Robertson
Bassett	Gafford	Malone	Shumate
Berryman (R)	Garrett	Marr	Slate
Berryman (W)	Gloor	Mathews	Smith
Blanton	Graham	McCorquodale	Snell
Brannan	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Cameron	Hain	Meade	Stembridge
Cherner	Hardin	Melton	Stubbs
Collier	Harper	Merrill	Tuck
Collins (C)	Harris	Money	Turnham
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Weeks
Cook (Jefferson)	Hobbie	Owens (W)	Wood
Crawford	House	Owens (W.E.)	Yeilding
Culver	Jones	Paulk	Young
Dobbs	Kilgore		—74

And the bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

Was taken up.

Mr. Cameron offered the following amendment to the bill, S. 182:

Amend S. B. 182 by adding the following at the end of Section 1 of Bill:

"Provided, however, that the provisions of this section shall not apply to officers and employees of the State of Alabama when they incur expenses representing the State of Alabama in the encouragement and promotion of trade or industrial development and on such occasions, when such representation is properly approved, such persons shall be reimbursed for the actual expenses incurred and paid by them; provided further that such representation must be approved in advance in writing by the Governor or by the Director of Finance when so designated by the Governor."

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Pearson
Adwell	Dobbs	Jones	Pennington
Agee	Doss	Laxson	Perloff
Bank	Downing	Lemley	Robertson
Bassett	Edington	Lybrand	Slate
Berryman (R)	Ellis	Lyons	Smith
Berryman (W)	Fine	Malone	Snell
Blanton	Garrett	Marr	Springer
Bowers	Gloor	McCorquodale	Starnes
Brannan	Graham	McDonald	Stembridge
Brown	Grainger	McElhaney	Stubbs
Cameron	Grayson	Meade	Tuck
Collier	Hain	Merrill	Turnham
Collins (C)	Hardin	Money	Weeks
Cook (Coffee)	Harper	Nettles	Wood
Cook (Jefferson)	Harris	Owen (Baldwin)	Wright
Crane	Haygood	Owens (W)	Yeilding
Crawford	Higginbotham	Owens (W.E.)	Young
Culver	Hobbie	Paulk	—75

And the bill, S. 182, as thus amended, was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owens (W.E.)
Adwell	Dobbs	Jones	Paulk
Agee	Doss	Laxson	Pennington
Bank	Downing	Lemley	Perloff
Bassett	Edington	Lybrand	Slate
Berryman (R)	Ellis	Lyons	Smith
Berryman (W)	Fine	Malone	Snell
Blanton	Garrett	Marr	Springer
Bowers	Gloor	McCorquodale	Starnes
Brannan	Graham	McDonald	Stembridge
Brown	Grainger	McElhaney	Stubbs
Cameron	Hain	McLain	Tuck
Collier	Hardin	Meade	Turnham
Collins (C)	Harper	Melton	Weeks
Cook (Coffee)	Harris	Merrill	Wood
Cook (Jefferson)	Haygood	Money	Wright
Crane	Higginbotham	Nettles	Yeilding
Crawford	Hill	Owen (Baldwin)	Young
Culver	Hobbie	Owens (W)	—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

Also:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

Also:

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Also:

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

Also:

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

Also:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Was read a third time at length and passed.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Dill	Jones	Pearson
Agee	Dobbs	Laxson	Pennington
Bank	Doss	Lemley	Perloff
Bassett	Downing	Lybrand	Robertson
Beck	Edington	Lyons	Slate
Berryman (R)	Fine	Malone	Smith
Blanton	Garrett	Manley	Snell
Bowers	Graham	Marr	Springer
Brannan	Grainger	McCorquodale	Starnes
Brassell	Hain	McElhaney	Stubbs
Brown	Hardin	Meade	Tuck
Cameron	Harper	Melton	Turnham
Collier	Harris	Merrill	Weeks
Collins (C)	Haygood	Money	Wood
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Wright
Crane	Hill	Owens (W)	Yeilding
Crawford	Hobbie	Owens (W.E.)	Young
Culver	House	Paulk	—71

Nays: Messrs. Cherner, Gafford and Nettles —3

And the bill:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Was read a third time at length and passed.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Adwell	Ellis	Lemley	Pennington
Agee	Fine	Lybrand	Perloff
Bank	Gafford	Lyons	Robertson
Bassett	Gloor	Malone	Shumate
Beck	Graham	Manley	Slate
Berryman (R)	Grainger	Marr	Smith
Berryman (W)	Grayson	Mays	Snell
Blanton	Hain	McCorquodale	Springer
Bowers	Hardin	McDonald	Starnes
Brannan	Harper	McElhaney	Stubbs
Brassell	Harris	Meade	Tuck
Cherner	Haygood	Melton	Turnham
Collier	Headley	Merrill	Watkins
Crawford	Higginbotham	Money	Weeks
Culver	Hill	Nettles	Wood
Dill	Hobbie	Owens (W)	Wright
Dobbs	House	Owens (W.E.)	Yeilding
Doss	Jones	Paulk	Young
Downing	Kilgore		—78

Nays: Messrs. Brown and Garrett —2

And the bill:

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Was read a third time at length and passed.

Yeas 73; Nays 2.

Yeas:

Mr. Speaker	Downing	Laxson	Paulk
Adwell	Drake	Lemley	Pearson
Agee	Edington	Lybrand	Pennington
Bank	Ellis	Lyons	Perloff
Bassett	Fine	Manley	Robertson
Beck	Garrett	Marr	Shumate
Berryman (R)	Grainger	Mays	Slate
Berryman (W)	Grayson	McCorquodale	Smith
Blanton	Hain	McDonald	Snell
Bowers	Harper	McElhaney	Springer
Brannan	Harris	McLain	Starnes
Brassell	Haygood	Meade	Stembridge
Brown	Headley	Melton	Tuck
Collier	Higginbotham	Merrill	Watkins
Cook (Coffee)	Hill	Money	Weeks
Cook (Jefferson)	Hobbie	Nettles	Wood
Crawford	House	Owens (W)	Wright
Dobbs	Jones	Owens (W.E.)	Young
Doss			—73

Nays: Messrs. Dill and Graham —2

And the bill:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Paulk
Adwell	Drake	Laxson	Pearson
Agee	Edington	Lemley	Pennington
Bank	Ellis	Lybrand	Perloff
Bassett	Fine	Lyons	Robertson
Beck	Garrett	Malone	Sessions
Berryman (R)	Gloor	Marr	Shumate
Berryman (W)	Graham	Mays	Slate
Blanton	Grainger	McCorquodale	Smith
Brannan	Grayson	McDonald	Snell
Brassell	Hain	McElhaney	Springer
Brown	Hardin	McLain	Starnes
Cameron	Harper	Meade	Stembridge
Collier	Harris	Melton	Tuck
Cook (Coffee)	Haygood	Merrill	Watkins
Cook (Jefferson)	Higginbotham	Money	Weeks
Crawford	Hill	Nettles	Wood
Culver	Hobbie	Owens (W)	Wright
Dobbs	House	Owens (W.E.)	Young
Doss	Jones		—78

And the bill:

H. 538. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Was taken up.

H. 538 INDEFINITELY POSTPONED

On motion of Mr. Harris, the bill, H. 538, was indefinitely postponed.

And the bill:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dill	Jones	Owens (W.E.)
Adwell	Dobbs	Kilgore	Paulk
Agee	Doss	Laxson	Pearson
Bank	Downing	Lemley	Pennington
Bassett	Drake	Lybrand	Perloff
Beck	Edington	Lyons	Pruitt
Berryman (R)	Ellis	Malone	Robertson
Berryman (W)	Fine	Manley	Sessions
Blanton	Garrett	Marr	Shumate
Bowers	Graham	Mays	Slate
Brannan	Grainger	McCorquodale	Smith
Brassell	Grayson	McDonald	Starnes
Brown	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Melton	Turnham
Cook (Coffee)	Haygood	Merrill	Watkins
Cook (Jefferson)	Higginbotham	Money	Weeks
Crane	Hill	Nettles	Wright
Crawford	Hobbie	Owens (W)	Young
Culver	House		

—82

And the bill:

H. 537. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Was taken up.

H. 537 INDEFINITELY POSTPONED

On motion of Mr. Harris, the bill, H. 537, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Also:

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

Also:

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Also:

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Also:

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

Was taken up.

Mr. Springer offered the following amendment to the bill, S. 307:

Amend S. B. 307 as follows:

In Section 1, line 3, delete the word "may" and insert in lieu thereof the word "shall"

And the amendment was adopted.

Yeas 68; Nay 1.

Yeas:

Mr. Speaker	Downing	Laxson	Owens (W.E.)
Agee	Drake	Lemley	Paulk
Bank	Edington	Lybrand	Pearson
Bassett	Ellis	Lyons	Pennington
Beck	Garrett	Malone	Perloff
Berryman (R)	Gloor	Manley	Robertson
Berryman (W)	Graham	Marr	Shumate
Brannan	Grainger	Mays	Slate
Brassell	Grayson	McCorquodale	Smith
Brown	Hain	McElhaney	Snell
Cameron	Hardin	Meade	Starnes
Collier	Harper	Melton	Stembridge
Collins (W)	Harris	Merrill	Tuck
Cook (Coffee)	Haygood	Money	Turnham
Crane	Hobbie	Nettles	Watkins
Culver	House	Owen (Baldwin)	Wright
Doss	Jones	Owens (W)	Young

—68

Nay: Mr. Dill —1

And the bill, S. 307, as thus amended, was read a third time at length and passed.

Yeas 72; Nays 4.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W.E.)
Adwell	Drake	Laxson	Paulk
Agee	Edington	Lemley	Pearson
Bank	Ellis	Lybrand	Pennington
Bassett	Fine	Lyons	Perloff
Beck	Garrett	Malone	Robertson
Berryman (R)	Gloor	Manley	Shumate
Berryman (W)	Graham	Marr	Slate
Brannan	Grainger	McCorquodale	Smith
Brassell	Grayson	McDonald	Snell
Brown	Hain	McElhaney	Starnes
Cameron	Hardin	Meade	Stembridge
Collier	Harper	Melton	Stubbs
Collins (C)	Harris	Merrill	Tuck
Cook (Coffee)	Haygood	Money	Turnham
Crane	Hill	Nettles	Watkins
Culver	Hobbie	Owen (Baldwin)	Wright
Doss	House	Owens (W)	Young

—72

Nays:

Messrs.:	Crawford	Dill	Gafford
Cherner			

—4

H. 413 INDEFINITELY POSTPONED

On motion of Mr. Springer, H. 413 was indefinitely postponed.

And the bill:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Crawford	House	Owens (W.E.)
Adwell	Culver	Jones	Paulk
Agee	Dill	Laxson	Pearson
Bank	Dobbs	Lemley	Pennington
Bassett	Downing	Lybrand	Pruitt
Beck	Drake	Lyons	Robertson
Berryman (R)	Ellis	Malone	Sessions
Berryman (W)	Gafford	Manley	Shumate
Blanton	Gloor	McCorquodale	Slate
Bowers	Graham	McDonald	Smith
Brannan	Grainger	McElhaney	Snell
Brassell	Grayson	McLain	Starnes
Brown	Hain	Meade	Stubbs
Cameron	Hardin	Melton	Tuck
Cherner	Harper	Merrill	Turnham
Collier	Harris	Nettles	Wright
Collins (C)	Higginbotham	Owen (Baldwin)	Yeilding
Cook (Coffee)	Hill	Owens (W)	Young
Cook (Jefferson)	Hobbie		

—74

H. 314 INDEFINITELY POSTPONED

On motion of Mr. Springer, H. 314 was indefinitely postponed.

And the bill:

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Was read a third time at length and passed.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker	Doss	Lemley	Pearson
Adwell	Downing	Lybrand	Pennington
Agee	Drake	Lyons	Perloff
Bank	Edington	Malone	Pruitt
Beck	Ellis	Manley	Sessions
Berryman (R)	Fine	Marr	Shumate
Berryman (W)	Gloor	Mays	Slate
Blanton	Graham	McCorquodale	Smith
Bowers	Grainger	McDonald	Sneil
Brannan	Grayson	McElhaney	Springer
Brassell	Hardin	McLain	Starnes
Brown	Harper	Meade	Stembridge
Cherner	Harris	Melton	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (W)	Hill	Nettles	Turnham
Cook (Coffee)	Hobbie	Owen (Baldwin)	Waggoner
Cook (Jefferson)	House	Owens (W)	Watkins
Crane	Jones	Owens (W.E.)	Yeilding
Crawford	Laxson	Paulk	Young
Culver			—77

Nays: Messrs. Money and Robertson —2

H. 518 INDEFINITELY POSTPONED

On motion of Mr. Pennington, H. 518 was indefinitely postponed.

And the bill:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of the said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary

funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama, and the State Insurance Fund, and shall not create an obligation or debt of the state; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Was read a third time at length and passed.

Yeas 78; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Laxson	Paulk
Agee	Downing	Lemley	Pearson
Bank	Drake	Lybrand	Pennington
Bassett	Edington	Lyons	Perloff
Beck	Ellis	Malone	Pruitt
Berryman (R)	Fine	Manley	Shumate
Berryman (W)	Gafford	Marr	Slate
Blanton	Garrett	Mays	Smith
Bowers	Graham	McCorquodale	Snell
Brannan	Grainger	McDonald	Springer
Brassell	Grayson	McElhaney	Starnes
Brown	Hardin	McLain	Stembridge
Cherner	Harper	Meade	Stubbs
Collier	Harris	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Owen (Baldwin)	Wright
Cook (Jefferson)	House	Owens (W)	Yeilding
Crane	Jones	Owens (W.E.)	Young
Crawford	Kilgore		—78

Nay: Mr. Dill —1

H. 519 INDEFINITELY POSTPONED

On motion of Mr. Pennington, H. 519 was indefinitely postponed.

And the bill:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsdent and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be

effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Was read a third time at length and passed.

Yeas 71; Nays 12.

Yeas:

Mr. Speaker	Downing	Lybrand	Pennington
Adwell	Drake	Lyons	Perloff
Agee	Ellis	Malone	Pruitt
Bank	Fine	Manley	Robertson
Beck	Garrett	Marr	Sessions
Berryman (R)	Graham	Mays	Shumate
Berryman (W)	Grainger	McCorquodale	Slate
Blanton	Grayson	McDonald	Smith
Brannan	Hain	McElhaney	Snell
Brassell	Harper	McLain	Springer
Cameron	Harris	Meade	Starnes
Collier	Haygood	Melton	Stubbs
Collins (C)	Hill	Merrill	Tuck
Collins (W)	Hobbie	Nettles	Turnham
Cook (Coffee)	House	Owens (W)	Wright
Cook (Jefferson)	Jones	Owens (W.E.)	Yeilding
Culver	Laxson	Paulk	Young
Doss	Lemley	Pearson	—71

Nays:

Messrs.:	Crawford	Gloor	Stembridge
Brown	Dill	Kilgore	Watkins
Cherner	Gafford	Money	Weeks
Crane			—12

And the bill:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Was read a third time at length and passed.

Yeas 68; Nays 14.

Yeas:

Mr. Speaker	Ellis	Lemley	Paulk
Adwell	Fine	Lybrand	Pearson
Agee	Garrett	Lyons	Pennington
Bank	Graham	Malone	Perloff
Beck	Grainger	Manley	Pruitt
Berryman (R)	Grayson	Marr	Shumate
Berryman (W)	Hain	Mays	Slate
Blanton	Harper	McCorquodale	Smith
Brannan	Harris	McDonald	Snell
Brassell	Haygood	McElhaney	Springer
Cameron	Headley	McLain	Starnes
Collier	Higginbotham	Meade	Stubbs
Collins (W)	Hill	Melton	Tuck
Cook (Coffee)	Hobbie	Merrill	Waggoner
Cook (Jefferson)	House	Nettles	Wood
Downing	Jones	Owens (W)	Wright
Drake	Laxson	Owens (W.E.)	Young

—68

Nays:

Messrs.:	Cherner	Gloor	Watkins
Bassett	Crawford	Money	Weeks
Bowers	Dill	Robertson	Yeilding
Brown	Gafford	Stembridge	

—14

And the bill:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Was read a third time at length and passed.

Yeas 72; Nays 6.

Yeas:

Mr. Speaker	Downing	Laxson	Pennington
Agee	Drake	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Garrett	Malone	Shumate
Berryman (R)	Graham	Manley	Smith
Berryman (W)	Grainger	Mays	Snell
Blanton	Grayson	McCorquodale	Springer
Brannan	Hain	McDonald	Starnes
Brassell	Hardin	McElhaney	Stembridge
Brown	Harper	McLain	Stubbs
Cameron	Harris	Meade	Tuck
Collier	Haygood	Melton	Turnham
Collins (C)	Higginbotham	Merrill	Waggoner
Collins (W)	Hill	Money	Watkins
Cook (Coffee)	Hobbie	Owens (W)	Wood
Cook (Jefferson)	House	Paulk	Wright
Dobbs	Jones	Pearson	Young

—72

Nays:

Messrs.:	Dill	Gloor	Yeilding
Cherner	Gafford	Marr	

—6

And the bill:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Agee	Downing	Jones	Pearson
Bank	Drake	Kilgore	Pennington
Bassett	Ellis	Laxson	Pruitt
Beck	Fine	Lemley	Robertson
Berryman (R)	Foshee	Lybrand	Shumate
Berryman (W)	Gafford	Lyons	Slate
Blanton	Garrett	Malone	Smith
Bowers	Gloor	Manley	Snell
Brannan	Graham	Marr	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McDonald	Stembridge
Cameron	Hain	McElhaney	Stubbs
Cherner	Hardin	McLain	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Melton	Waggoner
Collins (W)	Haygood	Merrill	Watkins
Cook (Coffee)	Headley	Money	Weeks
Cook (Jefferson)	Higginbotham	Nettles	Wood
Culver	Hill	Owen (Baldwin)	Wright
Dill	Hobbie	Owens (W)	Yeilding
Dobbs	House	Owens (W.E.)	Young

—88

H. 438 INDEFINITELY POSTPONED

On motion of Mr. McCorquodale, H. 438 was indefinitely postponed.

And the bill:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Was read a third time at length and passed.

Yeas 86; Nay 1.

Yeas:

Mr. Speaker	Collier	Foshee	Higginbotham
Agee	Collins (C)	Gafford	Hill
Bank	Collins (W)	Garrett	Hobbie
Bassett	Cook (Coffee)	Gloor	House
Beck	Cook (Jefferson)	Graham	Jackson (F)
Berryman (R)	Crane	Grainger	Jones
Berryman (W)	Crawford	Grayson	Kilgore
Blanton	Dill	Hain	Laxson
Bowers	Dobbs	Hardin	Lemley
Brannan	Doss	Harper	Lybrand
Brassell	Downing	Harris	Lyons
Cameron	Ellis	Haygood	Malone
Cherner	Fine	Headley	Manley

Marr	Money	Pruitt	Stembridge
Mays	Nettles	Robertson	Stubbs
McCorquodale	Owen (Baldwin)	Sessions	Tuck
McDonald	Owens (W)	Shumate	Turnham
McElhaney	Owens (W.E.)	Smith	Wood
McLain	Paulk	Snell	Wright
Meade	Pearson	Springer	Yeilding
Melton	Pennington	Starnes	Young
Merrill	Perloff		

—86

Nay: Mr. Slate —1

H. 569 INDEFINITELY POSTPONED

On motion of Mr. Hill, H. 569 was indefinitely postponed.

And the bill:

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistance provisions of the Federal-Aid Highway Act of 1968 and subsequent Federal Acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

Was read a third time at length and passed.

Yeas 81; Nays 3.

Yeas:

Mr. Speaker	Downing	Laxson	Paulk
Agee	Drake	Lemley	Pennington
Bank	Edington	Lybrand	Perloff
Bassett	Ellis	Lyons	Pruitt
Beck	Fine	Malone	Robertson
Berryman (R)	Foshee	Manley	Sessions
Berryman (W)	Garrett	Marr	Shumate
Blanton	Graham	Mays	Slate
Brannan	Grainger	McCorquodale	Smith
Brassell	Grayson	McDonald	Snell
Brown	Hain	McElhaney	Springer
Cameron	Hardin	McLain	Starnes
Collier	Harper	Meade	Stembridge
Collins (C)	Harris	Melton	Stubbs
Collins (W)	Headley	Merrill	Tuck
Cook (Coffee)	Hill	Money	Turnham
Cook (Jefferson)	Hobbie	Nettles	Weeks
Crawford	House	Owen (Baldwin)	Wood
Culver	Jackson (F)	Owens (W)	Yeilding
Dobbs	Jones	Owens (W.E.)	Young
Doss			

—81

Nays: Messrs. Dill, Gloor and Wright —3

And the bill:

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Was taken up.

MOTION TO TABLE LOST

The motion of Mr. Hobbie to table the bill, S. 250, was lost.

Yeas 3; Nays 66.

Yeas: Messrs: Crawford, Dill Hobbie —3

Nays:

Mr. Speaker	Edington	Lybrand	Paulk
Agee	Ellis	Lyons	Pennington
Bank	Fine	Malone	Perloff
Beck	Foshee	Manley	Pruitt
Berryman (R)	Garrett	Marr	Sessions
Berryman (W)	Graham	Mathews	Slate
Blanton	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Snell
Brassell	Hain	McDonald	Springer
Cameron	Harris	McElhaney	Starnes
Collins (W)	Haygood	Meade	Stembridge
Cook (Coffee)	Headley	Melton	Turnham
Cook (Jefferson)	Hill	Merrill	Weeks
Crane	House	Nettles	Wood
Doss	Jackson (F)	Owens (W)	Wright
Downing	Jones	Owens (W.E.)	Young
Drake	Lemley		

—66

And the bill, S. 250, was read a third time at length and passed.

Yeas 74; Nays 6.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Drake	Kilgore	Owens (W.E.)
Bank	Edington	Lemley	Paulk
Bassett	Ellis	Lybrand	Pearson
Beck	Fine	Lyons	Pennington
Berryman (R)	Foshee	Malone	Perloff
Berryman (W)	Garrett	Manley	Pruitt
Blanton	Graham	Marr	Robertson
Bowers	Grainger	Mathews	Sessions
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Snell
Cameron	Hardin	McDonald	Springer
Collier	Harris	McElhaney	Stembridge
Collins (W)	Haygood	Meade	Turnham
Cook (Coffee)	Headley	Melton	Weeks
Cook (Jefferson)	Higginbotham	Merrill	Wood
Crane	Hill	Nettles	Wright
Culver	House	Owen (Baldwin)	Young
Doss	Jackson (F)		

—74

Nays:

Messrs.:	Crawford	Hobbie	Yeilding	
Cherner	Dill	Slate		—6

H. 225 INDEFINITELY POSTPONED

On motion of Mr. Mathews, the bill, H. 225, was indefinitely postponed.

And the bill:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Hill	Owen (Baldwin)
Agee	Dobbs	House	Owens (W)
Bank	Doss	Jackson (F)	Owens (W.E.)
Bassett	Downing	Jones	Paulk
Beck	Drake	Kilgore	Pearson
Berryman (R)	Ellis	Lemley	Perloff
Berryman (W)	Fine	Lybrand	Pruitt
Blanton	Foshee	Lyons	Robertson
Bowers	Gafford	Malone	Slate
Brannan	Garrett	Manley	Smith
Brassell	Gloor	Marr	Snell
Brown	Graham	Mays	Springer
Cameron	Grainger	McCorquodale	Starnes
Cherner	Grayson	McDonald	Stembridge
Collier	Hain	McElhaney	Tuck
Collins (C)	Hardin	McLain	Turnham
Collins (W)	Harper	Meade	Waggoner
Cook (Coffee)	Harris	Melton	Wood
Crane	Haygood	Merrill	Wright
Crawford	Headley	Money	Yeilding
Culver	Higginbotham	Nettles	Young

—84

And the bill:

S. 236 (with amendment). Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the federal-aid primary system and the national system of interstate and defense highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Section IV of the Substitute for Senate Bill No. 236 is amended by adding at the end thereof a new Subsection E to read as follows:

"E. Signs or devices which advertise or designate exclusively the location of the facilities of any public utility located along the interstate or primary highway for the convenience or protection of the using public or the facilities of the public utility."

And the amendment was adopted.

Yeas 72; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Owens (W)
Agee	Doss	Hill	Owens (W.E.)
Bassett	Downing	House	Paulk
Beck	Drake	Jackson (F)	Pearson
Berryman (R)	Edington	Jones	Pennington
Berryman (W)	Ellis	Lemley	Pruitt
Blanton	Fine	Lybrand	Robertson
Bowers	Foshee	Malone	Slate
Brannan	Gafford	Manley	Snell
Brassell	Garrett	Mathews	Springer
Cherner	Gloor	Mays	Starnes
Collier	Graham	McDonald	Stembridge
Collins (C)	Grayson	McElhaney	Tuck
Cook (Coffee)	Hain	McLain	Turnham
Cook (Jefferson)	Harper	Melton	Waggoner
Crane	Harris	Merrill	Wood
Crawford	Haygood	Money	Yeilding
Culver	Headley	Owen (Baldwin)	Young

—72

Nays: Messrs. Collins (W), Dill and Marr —3

And the bill, S. 236, as thus amended, was read a third time at length and passed.

Yeas 73; Nays 8.

Yeas:

Mr. Speaker	Edington	Laxson	Owens (W.E.)
Bassett	Ellis	Lemley	Paulk
Beck	Fine	Lybrand	Pearson
Berryman (R)	Foshee	Lyons	Pennington
Berryman (W)	Garrett	Malone	Pruitt
Blanton	Gloor	Manley	Robertson
Bowers	Graham	Mathews	Slate
Brannan	Grayson	Mays	Snell
Brassell	Hain	McCorquodale	Springer
Collier	Harper	McDonald	Starnes
Cook (Coffee)	Harris	McElhaney	Stembridge
Cook (Jefferson)	Haygood	McLain	Tuck
Crane	Headley	Meade	Turnham
Crawford	Hill	Melton	Watkins
Culver	House	Merrill	Weeks
Dobbs	Jackson (F)	Money	Wood
Doss	Jones	Owen (Baldwin)	Yeilding
Downing	Kilgore	Owens (W)	Young
Drake			

—73

Nays:

Messrs.:	Dill	Higginbotham	Nettles
Cherner	Gafford	Marr	Wright
Collins (W)			

—8

And the bill:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Owens (W)
Agee	Downing	Jackson (F)	Owens (W.E.)
Bank	Drake	Jones	Paulk
Bassett	Edington	Kilgore	Pearson
Beck	Ellis	Laxson	Pruitt
Berryman (R)	Fine	Lemley	Robertson
Berryman (W)	Foshee	Lybrand	Sessions
Blanton	Gafford	Lyons	Slate
Brannan	Garrett	Malone	Smith
Brassell	Gloor	Manley	Snell
Brown	Graham	Marr	Springer
Cherner	Grainger	Mays	Starnes
Collier	Grayson	McCorquodale	Stembridge
Collins (C)	Hardin	McDonald	Stubbs
Collins (W)	Harper	McElhaney	Tuck
Cook (Coffee)	Harris	McLain	Turnham
Cook (Jefferson)	Haygood	Meade	Waggoner
Crane	Headley	Melton	Wood
Crawford	Higginbotham	Merrill	Wright
Culver	Hill	Nettles	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young

—84

And the bill:

H. 311. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W.E.)
Agee	Downing	Jones	Paulk
Bank	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Pruitt
Berryman (R)	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McCorquodale	Starnes
Cherner	Grayson	McDonald	Stembridge
Collier	Hardin	McElhaney	Stubbs
Collins (C)	Harper	McLain	Tuck
Collins (W)	Harris	Meade	Turnham
Cook (Coffee)	Haygood	Melton	Waggoner
Cook (Jefferson)	Headley	Merrill	Weeks
Crane	Higginbotham	Money	Wood
Crawford	Hill	Nettles	Wright
Culver	Hobbie	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young
Dobbs			

—89

And the bill:

H. 315. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W)
Agee	Drake	Laxson	Owens (W.E.)
Beck	Ellis	Lemley	Paulk
Berryman (R)	Fine	Lybrand	Pearson
Berryman (W)	Foshee	Lyons	Perloff
Blanton	Garrett	Malone	Pruitt
Brannan	Gloor	Manley	Sessions
Brassell	Graham	Marr	Slate
Cherner	Grayson	Mays	Smith
Collier	Hardin	McCorquodale	Snell
Collins (C)	Harper	McDonald	Springer
Collins (W)	Harris	McElhaney	Starnes
Cook (Coffee)	Haygood	McLain	Stubbs
Crane	Headley	Meade	Tuck
Crawford	Higginbotham	Melton	Turnham
Culver	Hill	Merrill	Wood
Dill	Hobbie	Money	Wright
Dobbs	House	Nettles	Yeilding
Doss	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

H. 316. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hardin	Marr
Agee	Crane	Harper	Mays
Bank	Crawford	Harris	McCorquodale
Bassett	Culver	Haygood	McDonald
Beck	Dill	Headley	McElhaney
Berryman (R)	Dobbs	Higginbotham	McLain
Berryman (W)	Doss	Hill	Meade
Blanton	Downing	Hobbie	Melton
Brannan	Drake	House	Merrill
Brassell	Ellis	Jones	Money
Brown	Fine	Laxson	Nettles
Cherner	Foshee	Lemley	Owen (Baldwin)
Collier	Garrett	Lybrand	Owens (W)
Collins (C)	Gloor	Lyons	Owens (W.E.)
Collins (W)	Graham	Malone	Pearson
Cook (Coffee)	Grayson	Manley	Pennington

Perloff	Snell	Turnham	Wood
Pruitt	Springer	Waggoner	Wright
Robertson	Starnes	Watkins	Yeilding
Slate	Stubbs	Weeks	Young
Smith	Tuck		

—82

H. 539, H. 296, and H. 297 INDEFINITELY POSTPONED

On motion of Mr. Cameron, H. 539, H. 296 and H. 297 were indefinitely postponed.

H. 685 INDEFINITELY POSTPONED

On motion of Mr. Cook (Jefferson), H. 685 was indefinitely postponed.

And the bill:

H. 279 (with amendment). To promote safe transportation of pupils to and from schools and in school related activities; to direct the state board of education to prescribe certain rules and regulations designed to promote this purpose; to provide for school transportation managers or supervisors; to prescribe certain equipment for school buses; to provide for safety inspection of school buses; to provide for special training and licensing of school bus drivers; and to prescribe penalties.

Was taken up.

Mr. Gloor was granted unanimous consent to be added as a cosponsor to the bill, H. 279, also the following:

Messrs. Fite, Agee, Bassett, Berryman (W), Blanton, Bowers, Brannan, Brassell, Brown, Burgess, Cameron, Collier, Collins (W), Crawford, Culver, Dobbs, Downing, Fine, Foshee, Gafford, Garrett, Grayson, Hardin, Harper, Harris, Higginbotham, Hobbie, House, Kilgore, Laxson, Marr, McCorquodale, McDonald, Melton, Merrill, Nettles, Owen (Baldwin), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Shumate, Snell, Starnes, Stembridge, Stubbs, Waggoner, Wood, Wright, Yeilding, Young.

And the question was on the adoption of the amendment reported by the Standing Committee on Health, said Committee amendment being as follows:

In Section 1, strike out paragraph 1. in its entirety and insert in lieu thereof the following:

1. Requiring all local boards of education which provide transportation services for pupils going to and from public elementary and secondary schools of Alabama or in school-related activities, and the presidents of all state junior colleges and directors of all state trade schools which provide transportation services for pupils going to and from said trade schools or junior colleges, to employ a competent supervisor or manager of such transportation services, whether such transportation services are provided in publicly owned or privately owned buses;

Also, strike out the first line of Section 3 and insert in lieu thereof the following: From and after September 1, 1970, regulations made pursuant to an order of the

Also, strike out Section 4 of the bill and insert in lieu thereof the following:

Section 4. All local boards of education, all presidents of state junior colleges and all directors of state trade schools which provide transportation services for pupils or students going to and from public elementary and secondary schools, junior colleges or trade schools, and in school or college related activities shall have safety inspections made of all vehicles used for such transportation at least once each month, whether such vehicles are publicly owned and operated or privately owned and operated under contract between the board of education, board of trustees or other governing body of a junior college and the owner of vehicle. All safety inspections made hereunder shall be made by qualified mechanics in accordance with standards and rules established by the state board of education.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owens (W.E.)
Adwell	Dobbs	Jackson (F)	Paulk
Agee	Doss	Jones	Pearson
Bank	Downing	Kilgore	Pennington
Bassett	Drake	Laxson	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (R)	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Malone	Shumate
Brannan	Gafford	Manley	Slate
Brassell	Garrett	Marr	Smith
Brown	Gloor	Mays	Snell
Burgess	Graham	McCorquodale	Starnes
Cameron	Grainger	McDonald	Stembridge
Cherner	Hain	McElhaney	Stubbs
Collier	Hardin	McLain	Turnham
Collins (C)	Harper	Meade	Waggoner
Collins (W)	Harris	Melton	Watkins
Cook (Coffee)	Haygood	Merrill	Weeks
Cook (Jefferson)	Headley	Money	Wood
Crane	Higginbotham	Nettles	Wright
Crawford	Hill	Owen (Baldwin)	Yeilding
Culver	Hobbie	Owens (W)	Young

—92

And the bill, H. 279, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Burgess	Doss	Hain
Adwell	Cameron	Downing	Hardin
Agee	Cherner	Drake	Harper
Bank	Collier	Edington	Harris
Bassett	Collins (C)	Ellis	Haygood
Beck	Collins (W)	Fine	Headley
Berryman (R)	Cook (Coffee)	Foshee	Higginbotham
Berryman (W)	Cook (Jefferson)	Gafford	Hill
Blanton	Crane	Garrett	Hobbie
Bowers	Crawford	Gloor	House
Brannan	Culver	Graham	Jackson (F)
Brassell	Dill	Grainger	Jones
Brown	Dobbs	Grayson	Kilgore

Laxson	McLain	Pennington	Stubbs
Lemley	Meade	Perloff	Tuck
Lybrand	Melton	Pruitt	Turnham
Lyons	Merrill	Robertson	Waggoner
Malone	Money	Sessions	Watkins
Manley	Nettles	Shumate	Weeks
Marr	Owen (Baldwin)	Slate	Wood
Mays	Owens (W)	Smith	Wright
McCorquodale	Owens (W.E.)	Snell	Yeilding
McDonald	Paulk	Starnes	Young
McElhaney	Pearson	Stembridge	

—95

And the bill:

H. 629. To make an appropriation to the University of Alabama for the purchase of law library books in support of the Alabama Law Institute.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 5.

Yeas:

Mr. Speaker	Dill	Jones	Owens (W)
Adwell	Doss	Laxson	Paulk
Agee	Downing	Lemley	Pearson
Bank	Drake	Lybrand	Pennington
Bassett	Edington	Lyons	Perloff
Beck	Ellis	Malone	Pruitt
Blanton	Fine	Manley	Robertson
Bowers	Foshee	Marr	Sessions
Brannan	Garrett	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Cameron	Hain	McElhaney	Starnes
Cherner	Harper	McLain	Stembridge
Collier	Haygood	Meade	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Money	Wood
Cook (Jefferson)	House	Nettles	Wright
Crane	Jackson (F)	Owen (Baldwin)	Young
Culver			

—77

Nays:

Messrs.:	Crawford	Stubbs	Yeilding
Berryman (W)	Grayson		

—5

And the bill:

H. 459 (with substitute). Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public building or construction contracts.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to public contracts; providing that a public officer shall not designate the insurance company, agent or broker for insurance in public building or construction contracts.

Be It Enacted by the Legislature of Alabama:

Section 1. No officer or employee of this state, or any public Corporation, or of any public agency or authority, and no person acting, or purporting to act on behalf of such officer, employee, or public agency or authority, except a public agency or authority created pursuant to agreement or compact with another state, shall, with respect to any public building or construction contract, require the bidder to obtain or procure any surety bond or contract of insurance specified in connection with such contract, or specified by any law, ordinance, or regulation, from a particular surety or insurance company, agent, or broker. No officer or employee, or person, firm, or corporation acting or purporting to act, on behalf of any officer or employee of this state, public corporation, or public agency or authority, shall negotiate, make application, obtain, or procure any surety bond or contract of insurance (except contracts of insurance for builder's risk or owner's protective liability) which can be obtained or procured by the bidder, contractor, or sub-contractor.

Section 2. The preceding section shall not prevent the exercise by an officer or employee on behalf of the state, public agency, political subdivision, or public authority, from exercising the right to approve the form, sufficiency, or manner of execution of the surety bonds or contracts of insurance furnished by the surety or insurance company selected by the bidder to underwrite bonds or contracts of insurance. The insurance company, bonding company, or surety company shall meet all requirements for such companies otherwise provided for by law.

Section 3. All provisions in any invitation for bids, or in any of the contract documents, in conflict with this Act are hereby declared to be void and unenforceable as contrary to the public policy of this state.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Jefferson)	Drake
Adwell	Burgess	Crane	Edington
Agee	Cameron	Crawford	Ellis
Bank	Cherner	Culver	Fine
Bassett	Collier	Dill	Foshee
Beck	Collins (C)	Dobbs	Gafford
Berryman (W)	Collins (W)	Doss	Garrett
Brannan	Cook (Coffee)	Downing	Gloor

Graham	Laxson	Merrill	Slate
Grainger	Lemley	Money	Snell
Grayson	Lybrand	Nettles	Springer
Hain	Lyons	Owen (Baldwin)	Starnes
Hardin	Malone	Owens (W)	Stembridge
Harper	Manley	Owens (W.E.)	Stubbs
Haygood	Marr	Paulk	Tuck
Headley	Mays	Pearson	Turnham
Higginbotham	McCorquodale	Pennington	Watkins
Hill	McDonald	Perloff	Weeks
Hobbie	McElhaney	Pruitt	Wood
House	McLain	Robertson	Wright
Jackson (F)	Meade	Sessions	Yeilding
Jones	Melton	Shumate	Young
Kilgore			

—89

And the bill, H. 459, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nay 1.

Yeas:

Messrs.:	Dill	Jones	Paulk
Adwell	Dobbs	Kilgore	Pearson
Agee	Doss	Laxson	Perloff
Bank	Downing	Lemley	Pruitt
Bassett	Edington	Lybrand	Robertson
Beck	Ellis	Lyons	Sessions
Berryman (R)	Fine	Malone	Shumate
Berryman (W)	Foshee	Manley	Slate
Blanton	Gafford	Marr	Smith
Bowers	Garrett	Mays	Snell
Brannan	Gloor	McCorquodale	Springer
Brassell	Graham	McDonald	Starnes
Burgess	Grainger	McElhaney	Stembridge
Cameron	Grayson	McLain	Stubbs
Cherner	Hain	Meade	Tuck
Collier	Hardin	Melton	Turnham
Collins (C)	Harper	Merrill	Waggoner
Collins (W)	Harris	Money	Watkins
Cook (Coffee)	Haygood	Nettles	Weeks
Cook (Jefferson)	Headley	Owen (Baldwin)	Wood
Crane	Higginbotham	Owens (W)	Wright
Crawford	House	Owens (W.E.)	Young
Culver	Jackson (F)		

—89

Nay: Mr. Fite —1

And the bill:

H. 462. To authorize local boards of education to fix and collect tuition fees and charges from pupils attending schools under the jurisdiction of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Was taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Owen (Baldwin) that the House adjourn until Wednesday, June 25, 1969, at 12 o'clock Noon, was lost.

Yeas 21; Nays 58.

Yeas:

Mr. Speaker	Dill	Haygood	Melton
Bank	Doss	Headley	Owen (Baldwin)
Blanton	Drake	Lyons	Owens (W.E.)
Brannan	Fine	Malone	Robertson
Brassell	Hain	Marr	Young
Crawford			—21

Nays:

Messrs.:	Edington	Kilgore	Sessions
Adwell	Ellis	Laxson	Slate
Agee	Foshee	Lybrand	Smith
Bassett	Gafford	Manley	Snell
Berryman (R)	Garrett	McCorquodale	Springer
Berryman (W)	Gloor	McDonald	Stembridge
Brown	Graham	McElhaney	Stubbs
Cameron	Grainger	McLain	Turnham
Cherner	Grayson	Merrill	Waggoner
Collins (C)	Hardin	Money	Watkins
Collins (W)	Hill	Nettles	Weeks
Cook (Coffee)	Hobbie	Paulk	Wood
Cook (Jefferson)	House	Pennington	Wright
Culver	Jackson (F)	Perloff	Yeilding
Downing	Jones	Pruitt	—58

UNANIMOUS CONSENT GRANTED FOR JUDICIARY COMMITTEE REPORT

On motion of Mr. Merrill, unanimous consent was granted for the Standing Committee on Judicary to report bills out of Committee.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 843. To repeal Act No. 245, H. 163, page 361, 1965 1st Special Session, Volume 1, approved May 5, 1965, which relates to taxation, providing exemptions from the State Sales Tax Law and the State Use Tax Law for fabricated steel sections for any tunnel for highway vehicular traffic.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has orginated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Branyon:

S. 267. To amend Section 402 (65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this State.

Also:

By Mr. Turner:

S. 113. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide for the observance of certain legal public holidays on Mondays.

Also:

By Mr. Turner:

S. 114. Relating to newspaper carriers; to make it unlawful to defraud a newsboy, and to provide penalties therefor.

Also:

By Messrs. Torbert and Radney:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Also:

By Mr. Turner:

S. 340. To amend further Code of Alabama 1940, Title 24, Section 18, as amended, so as to increase the penalty for obtaining board by fraud or misrepresentation.

Also:

By Mr. Lindsey:

S. 405. To amend Section 6, as amended, and Section 7 of Act No. 158, Acts of Alabama, First Special Session 1956, entitled An Act to provide for and fix the manner in which the Director of Conservation may execute oil, gas and mineral leases on all lands under the jurisdiction of the Department of Conservation; to further provide for the manner in which the Director of Conservation may execute oil, gas and mineral leases on lands belonging to other State departments or agencies; to further provide for the manner in which lands or any rights of interest therein under any navigable streams or navigable waters, bays, estuaries, lagoons, bayous or lakes, and the shores along the navigable waters to high tide mark, and submerged lands in the Gulf of Mexico within the historic seaward boundary of this State, which is hereby declared to extend seaward six leagues from the land bordering the Gulf, may be leased and managed by the Director of Conservation; to provide for pooling and unitization agreements; to provide for the disposition of revenue derived from such leases; to provide for the Governor's approval for all such agreements, and to further provide for the repeal of all laws in conflict with the provisions of this Act.

Also:

By Messrs. Engel, McDermott and Cooper:

S. 385. To provide the board of trustees of the University of South Alabama with additional powers and authority including the right to acquire title to certain real and personal property on Dauphin Island, including the seafood laboratory for marine biology, to be used by said university for purposes of research, instruction and other related purposes; to authorize the conservation department to transfer and convey its interest in and jurisdiction over said property with the exception of certain property and facilities necessary to the conservation department for licensing and law enforcement purposes; to provide for a division of responsibility for such property between the

university and the conservation department; to provide that such conveyance shall be subject to the approval of the Mobile Area Public Higher Education Foundation, Inc. and to the terms of the lease agreement between said foundation and the conservation department and to provide for the manner of said conveyance; to authorize the state highway department to construct, reconstruct and maintain roads leading to and within said property including necessary parking area.

Also:

By Mr. Giles:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

Also:

By Mr. Turner:

S. 115. To provide for participation by the State of Alabama in the National Guard Mutual Assistance Compact, and to enact the terms and provisions thereof as the law of this State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 267. State Administration.

S. 113. Judiciary.

S. 114. Judiciary.

S. 54. Judiciary.

S. 340. Judiciary.

S. 405. Conservation.

S. 385. Conservation.

S. 176. Judiciary.

S. 115. Judiciary.

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until Wednesday, June 25, 1969, at 12 o'clock Noon was lost.

Yeas 20; Nays 52.

Yeas:

Mr. Speaker	Dill	Marr	Paulk
Beck	Doss	Meade	Slate
Brannan	Drake	Melton	Tuck
Brassell	Haygood	Owen (Baldwin)	Watkins
Crane	Lyons	Owens (W.E.)	Young

—20

Nays:

Messrs.:	Culver	Hobbie	Pruitt
Adwell	Dobbs	House	Robertson
Agee	Downing	Jones	Sessions
Bassett	Edington	Kilgore	Shumate
Berryman (R)	Ellis	Lybrand	Smith
Berryman (W)	Gafford	McCorquodale	Snell
Bowers	Garrett	McDonald	Starnes
Burgess	Gloor	McElhaney	Stembridge
Cameron	Graham	McLain	Turnham
Cherner	Grayson	Merrill	Waggoner
Collins (C)	Hardin	Money	Wood
Collins (W)	Harper	Nettles	Wright
Cook (Coffee)	Hill	Perloff	Yeilding
Cook (Jefferson)			

—52

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment.

By Mr. Jackson:

S. 172. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census fixing the salaries of the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; providing when the provisions of this act shall become effective; and repealing conflicting laws.

Also:

By Mr. Jackson:

S. 173. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; repealing conflicting laws.

Also:

By Mr. Folsom:

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

NOTICE

Notice is hereby given that at the Regular Session of the Legislature of Alabama which will convene in May 1969 a Bill substantially as follows will be introduced and application for its enactment will be made, that is to say:

A BILL
TO BE ENTITLED
AN ACT

To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Be It Enacted by the Legislature of Alabama:

Section 1. Any bank situated in the City of Cullman, or having an authorized office or place of business therein may, with the approval of the Superintendent of Banks of the State of Alabama, establish, maintain and operate branch banks, or additional offices or places of business for the receipt of deposits, payment of checks, making of loans, and conducting a general banking business.

Section 2. This act shall be effective upon its approval by the Governor or upon its otherwise becoming law.

April 6, 13, 22, 27, 1969

PROOF OF PUBLICATION

THE STATE OF ALABAMA
CULLMAN COUNTY

Before me Sue Evans, a Notary Public in and for said County and State, personally appeared Robert Bryan, Business Manager of THE CULLMAN TIMES, a daily newspaper published in Cullman, Cullman County, Alabama, and being duly sworn, says that the notice of which the attached is a true copy, was published in said newspaper once a week for four weeks successively and being in the issues of said newspaper of the following dates, viz: April 6, 13, 22, 27, 1969.

ROBERT BRYAN,
Business Manager.

Sworn to and subscribed before me this 28th day of April, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

Also:

By Mr. Radney:

S. 218. To provide for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

Also:

By Mr. Radney:

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Daviston in Tallapoosa County are hereby fixed and described as follows, incorporating within the limits of the town all of Sections 14, 15, 16, 21, 22, 23, 26, 27 and 28 in Township 24 North, Range 24 East, Tallapoosa County, State of Alabama, to wit:

Begin at the northeast corner of Section 14 and run west along the Section line for a distance of three miles to the northwest corner of Section 16, thence south along the Section line three miles to the southwest corner of Section 28, thence east along the section line three miles to the southeast corner of Section 26, thence north along the section line three miles to the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated January 9, 1969, and ending with the issue dated January 30, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 9th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 172. Local Legislation No. 1.

S. 173. Local Legislation No. 1.

S. 191. Local Legislation No. 1.

S. 218. Judiciary.

S. 219. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Radney:

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA,
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The office of county treasurer for Tallapoosa County, as provided for by Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19), entitled "An Act To Create And Establish The Office of County Treasurer of Tallapoosa County, To Provide For His Election, Fix The Term Of Office, To Prescribe His Duties And Fix His Compensation" shall be abolished upon the expiration of the term of the incumbent county treasurer. The court of county commissioners or other like governing body of said county shall on or before the first Monday in December of each year, select as a county depository an incorporated state or national bank or banks in the county as provided in Article 2, Chapter 3, Title 12, Code of Alabama 1940, as amended, and said depository shall be in lieu of a county treasurer.

Section 2. All laws and parts of laws in conflict with this act are hereby repealed, and Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) is specifically repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me June 5, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

Also:

By Mr. Radney:

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor:

PROPOSED AMENDMENT

"The Legislature may from time to time, by general or local laws applicable to or operative in Tallapoosa County, fix, regulate, and alter the fees, commissions, allowances, and salaries, including the method and basis of their compensation, to be charged or received by the judge of probate, sheriff, tax assessor, tax collector, and clerk and register of the circuit court of Tallapoosa County; and may place any or all of such officers on a salary and provide for the fees, commissions, allowances, and percentages collectible by such officers to be paid into the treasury from which their salaries are paid. Provided, that no law changing the method or basis for compensating such officers shall become effective unless it is approved by a majority of the qualified electors of the county who vote thereon at a referendum election held for such purpose."

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournament of the current session of the Legislature. The election

shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me June 5, 1969.

VONCILLE M. DEAN.
Notary Public.

My commission expires January 18, 1971.

Also:

By Mr. Radney:

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22 Township 23 North, Range 21 East, Tallapoosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

Let it be known that the following act will be introduced in the Legislature of the State of Alabama at its regular 1969 session.

AN ACT

To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary of the City of Alexander City, Alabama, be and the same is hereby altered, rearranged, and extended so as to include within the corporate limits of said city certain additional territory described as follows, to-wit:

The east half of the Northeast Quarter of Section 22 and all that part of the Southeast Quarter of the Northwest Quarter of Section 22

lying east of the Convict Camp Road, all being in Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, J. C. Henderson Publisher, of the Alexander City Outlook published weekly at Alexander City, Ala. do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated April 24, 1969, and ending with the issue dated May 15, 1969.

J. C. HENDERSON.

Subscribed and sworn before me this 15th day of May, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

Also:

By Mr. Radney:

S. 470. To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of he voters of Tallapoosa County voting thereon.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Tallapoosa County shall be entitled to receive compensation as follows:

(a) For the probate judge, a salary of $16,000.00 per annum;

(b) For the tax assessor, a salary of $12,000.00 per annum;

(c) For the tax collector, a salary of $12,000.00 per annum;

(d) For the clerk of the circuit court, a salary of 12,000.00 per annum;

(e) For the sheriff, a salary of $15,000.00 per annum.

Such salaries shall be in lieu of all fees, commissions, allowances, percentages and other charges heretofore paid such officers, and shall

be payable in equal monthly installments out of the general fund of the county.

Section 2. All fees, commissions, allowances, percentages and other charges heretofore collected for the use of said officers, including any remuneration received by the tax assessor and tax collector in relation to assessing and collecting municipal taxes, shall hereafter be collected and paid into the general fund of the county.

Section 3. The court of county commissioners, board of revenue or other like governing body of Tallapoosa County shall provide the probate judge, the tax assessor, the tax collector, the clerk of the circuit court and the sheriff with such office personnel, clerks and deputies and such quarters, books, stationery, furniture, equipment, postage and other such conveniences and supplies as such governing body may consider necessary for the proper and efficient conduct of their respective offices. Each officer shall appoint his own clerks and assistants who shall serve at his pleasure, and their compensation shall be fixed by the County governing body. All such compensations shall be paid in equal monthly installments out of the general fund of the county.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective as to each officer named herein upon the expiration of the term for which each such officer is elected at the general elections to be held in November 1970, and 1972 respectively, provided an amendment to the Constitution authorizing the legislature to change the method of compensating such officers shall have been ratified and if a majority of the qualified electors of Tallapoosa County who vote thereon vote in favor of the adoption of such amendment when it is submitted. If a majority of the qualified electors of Tallapoosa County who vote thereon vote against the adoption of the amendment, this act shall be of no further effect even though the amendment to the Constitution is ratified.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

J. C. HENDERSON.

Sworn to and subscribed before me June 5, 1969.

VONCILLE M. DEAN,
Notary Public.

My commission expires January 18, 1971.

Also:

By Mr. Carr:

S. 466. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers, and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk.

Also:

By Mr. Jackson:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

Also:

By Mr. O'Bannon:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 467. Local Legislation No. 1.

SENATE MESSAGE

S. 468. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 1.

SENATE MESSAGE

The Senate Bills, the title of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 469. Local Legislation No. 1.

S. 470. Local Legislation No. 1.

S. 466. Local Legislation No. 1.

S. 293. Local Legislation No. 1.

S. 513. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Skidmore:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Also:

By Mr. Cooper:

S. 224. To amend Title 14, Section 245, Code of Alabama 1940, which prohibits minors from playing pool in poolrooms.

Also:

By Mr. Lolley:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

Also:

By Messrs. Engel, Cooper and McDermott:

S. 371. To abolish the Fort Morgan Historical Commission and to place its powers, duties, personnel, property, and funds under the jurisdiction of the Division of State Parks, Monuments, and Historical Sites of the Department of Conservation and to create the Fort Morgan Historical Advisory Commission.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 492. Judiciary.

S. 224. Judiciary.

S. 128. Ways and Means.

S. 371. Conservation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 38. Relative to adjournment of the two Houses.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House.

H. J. R. 44. Designating the school of law enforcement at Jacksonville State University the Albert P. Brewer School of Law Enforcement.

Also:

H. J. R. 45. Naming the athletic dormitory at Jacksonville State University the Don Salls Dormitory.

Also:

H. J. R. 46. Naming the "Round House" on the campus of Jacksonville State University the Marvin Anders Auditorium.

Also:

H. J. R. 47. Designating the new girls' dormitory at Jacksonville State University "The Ivo Hall Sparkman Dormitory".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment.

By Messrs. Harris, Givhan, Clark, Lolley, Engel, Adams, Turner, Folsom, Cooper, Torbert, McDermott, Pelham and Skidmore:

S. 2. Concerning crimes and punishments, and prohibiting certain trespass upon the property of and the interference with the peaceful conduct of institutions of higher education; and prescribing penalties.

Also:

By Messrs. Harris, Givhan, Clark, Lolley, Engel, Adams, Turner, Folsom Cooper, Torbert, McDermott, Pelham and Skidmore:

S. 3. To make it a felony for any non-student to promote or participate in a riot at any school.

Also:

By Mr. Pierce:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

Also:

By Messrs. Lindsey, McDermott, Giles, Clark, Radney, Pierce, O'Bannon, Torbert, Nabors, Folsom, Harris, Engel, Turner, Goodwyn, Skidmore, Leonard, McCarley, Branyon, Jackson, Dominick, Hawkins, Childs:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Also:

By Mr. Branyon:

S. 266. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 2. Judiciary.

S. 3. Judiciary.

S. 126. State Administration.

S. 130. Local Legislation No. 1.

S. 266. Transportation.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 39. Saluting Mr. H. Earle Williams on his retirement from the Management Service, Cooperative Extension Service, Auburn University.

Also:

H. J. R. 41. Expressing appreciation to Miss Agnes Brindley on the occasion of her retirement as administrative assistant to the State Superintendent of Education.

Also:

H. J. R. 42. Designating the Business Administration Building at Jacksonville State University the Hugh Merrill Hall.

Also:

H. J. R. 43. Recognizing the gallantry and courage of Mrs. Ann Davis of Eufaula, Alabama, who rescued three small boys from drowning.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 49. Congratulating Dr. Forest David Mathews upon his appointment to the presidency of the University of Alabama at Tuscaloosa.

Also:

H. J. R. 50. Commending the Board of Trustees of the University of Alabama for their selection of Dr. Joseph F. Volker as president of the University Complex at Birmingham.

Also:

H. J. R. 52. Memorializing Congress to amend the laws of the land concerning veterans and veterans' affairs.

Also:

H. J. R. 53. Commending the Retired Men's Club of Tuscaloosa on their continuing contributions to the betterment of the people and institutions of Tuscaloosa.

Also:

H. J. R. 54. Congratulating the staff and counselors of the 1969 Girls State on a job well done.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment.

By Mr. Skidmore:

S. 490. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Also:

By Mr. Skidmore:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Also:

By Mr. Cooper:

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Be It Enacted by the Legislature of Alabama:

"Section 8. Compensation. The judge of probate as the chairman of the Court of Commissioners of Wilcox County shall receive as compensation for his services required under this Act a salary of $400 per month; and each of the associate members of the court shall also receive a salary of $400 per month."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent members or members first expiring after this Act becomes law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the "Wilcox Progressive Era", a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

M. HOLLIS CURL.

Sworn to and subscribed before me June 12, 1969.

BETTY M. DUNN,
Notary Public.

Also:

By Mr. Cooper:

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF WILCOX

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), and act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 192, H. 652, Regular Session 1955) Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers, is hereby amended to read as follows:

"Section 1. The court of county commissioners, board of revenue, or like governing body of Wilcox County is hereby authorized, empowered, and directed to pay out of the general fund in the county treasury the sum of three hundred dollars a month to each of the following county officers for clerk hire: the tax assessor, the tax collector, and the circuit clerk."

Section 2. This act shall become effective on the first day of the month commencing after the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the "Wilcox Progressive Era", a newspaper of general circulation published in Wilcox County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

M. HOLLIS CURL.

Sworn to and subscribed before me June 12, 1969.

BETTY M. DUNN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 490. Judiciary.

S. 491. Local Legislation No. 1.

S. 503. Local Legislation No. 1.

S. 504. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

McDOWELL LEE,
Secretary.

MOTION TO ADJOURN LOST

The motion of Mr. Lyons that the House adjourn until Wednesday, June 25, 1969, at 12 o'clock Noon was lost.

Yeas 21; Nays 49.

Yeas:

Mr. Speaker	Culver	Headley	Owens (W.E.)
Bank	Doss	Lyons	Robertson
Brannan	Downing	Marr	Slate
Brassell	Drake	Melton	Stembridge
Brown	Haygood	Owen (Baldwin)	Tuck
Crawford			—21

Nays:

Messrs.:	Dill	Lybrand	Perloff
Adwell	Dobbs	Malone	Pruitt
Agee	Edington	Manley	Sessions
Bassett	Ellis	McCorquodale	Shumate
Berryman (R)	Gafford	McDonald	Smith
Berryman (W)	Garrett	McElhaney	Snell
Bowers	Gloor	McLain	Springer
Cameron	Graham	Merrill	Turnham
Cherner	Hill	Money	Waggoner
Collins (C)	Hobbie	Nettles	Wood
Collins (W)	House	Paulk	Wright
Cook (Coffee)	Jones	Pennington	Yeilding
Cook (Jefferson)	Kilgore		—49

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McCarley:

S. 263. To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

Be It Enacted by the Legislature of Alabama:

Section 1. The clerk of the circuit court of Autauga County, Alabama, may appoint two deputy clerks to serve under his direction and at his pleasure. The deputy clerk so appointed shall each be paid an annual salary of not less than $3,600.00 nor more than $4,800.00 in equal monthly installments, out of the general funds of the county, upon proper claim being made.

Section 2. This Act supersedes Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449) which is hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert W. Plowden, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sun, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared

in the issues of said paper on 12-19-1968, 12-25-68, 1-2-69, and 1-9-69, all in the year 19.....

ROBERT W. PLOWDEN,
Publisher.

Sworn to and subscribed before me January 20th, 1969.

MARGARET HAWK,
Notary Public.

Also:

By Mr. Adams:

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the dupties of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Be It Enacted by the Legislature of Alabama:

Section 1. The Sheriff of Houston County may appoint a total of thirteen deputies, including the Chief Deputy Sheriff, whose compensation shall be paid by the County. All such deputies shall be appointed by the Sheriff, shall serve at the pleasure of the Sheriff, and shall perform such duties as the Sheriff may prescribe. Before entering upon their duties such deputies shall make bond payable to the Sheriff in the sum of $2,000.00, conditioned as required by Section 35, Title 41, Code of Alabama 1940.

Section 2. The salary of the Chief Deputy Sheriff shall be fixed by the Board of Revenue and Control at an amount of not more than $4,860.00 per annum and the salaries of seven Deputy Sheriffs shall be fixed by the Board of Revenue and Control at an amount of not more than $4,200 per annum. The salaries of three Deputy Sheriff who shall serve as jailers shall be fixed by the Board of Revenue and Control at an amount of not more than $3,540.00 per annum; the salaries of two Deputy Sheriffs who shall serve as bookkeepers shall be fixed by the Board of Revenue and Control at an amount of not more than $3,600.00 per annum. The Board of Revenue and Control may, in its discretion, provide for the compensation of the Chief Deputy and any of the other deputies to be paid, in whole or in part, from the county public highway and traffic fund.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 4. All laws and parts of laws in conflict wth this Act are repealed including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Section 5. This Act shall become effective, immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said county in said State, this day personally appeared Wallace Miller who being by me first duly sworn, deposes and says that during the times herein mentioned Wallace Miller was Advertising Director of the Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 20, March 27, April 3, April 10, 1969.

WALLACE MILLER.

Sworn to and subscribed before me this 26th day of May, 1969.

EUGENE S. McCLINTIC,
Notary Public.

Also:

By Mr. Radney:

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ELMORE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Elmore County; abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created and established in Elmore County, a court of record to be known as and called the Elmore County Court, which Court shall have and exercise civil and criminal jurisdiction as hereinafter provided.

Section 2. The Elmore County Court shall have civil jurisdiction in all civil matters of which justices of the peace of Elmore County have jurisdiction under the general laws of the State of Alabama, concurrently with the several justices of the peace in the county; and in addition thereto, the court shall have jurisdiction, concurrently with the circuit court of Elmore County, of all matters, suits, and actions at law which are in amount more than the jurisdiction of the justices of the peace, and not more than $1,200, and when the value of the property sued for in a suit in detinue is not more than $1,200; provided, however, that the court shall not have and exercise civil jurisdiction of actions in the nature of ejectment; and the court shall have original jurisdiction, concurrently with the circuit court of Elmore County, of all misdemeanors committed in the county. It shall have preliminary jurisdiction of all felonies, and of bastardy and of other criminal and quasi-criminal proceedings cognizable before justice of the peace courts. The court shall have jurisdiction of all matters, suits, and actions cognizable before a juvenile court; and of all cases of desertion and non-support arising under the provisions of Article 3, Chapter 4, Title 34, Code of Alabama (1940). The jurisdiction of the Elmore County Law and Juvenile Court, as hereinabove provided, shall be coextensive with the county. The court may suspend execution of sentence and place on probation any person convicted of a misdemeanor, the same as the circuit court, and the period of probation or suspension of execution of sentence shall be determined by the court.

Section 3. The judge of the court shall have been a resident in and a qualified elector of the county for at least two years at the time of his appointment or election, and shall reside in the county during his continuance in office. He shall be at least 25 years of age, learned in the law and shall have been admitted to the practice of law in this State. He shall not during his term of office act as attorney in any case or matter that has previously been in or is in this court, but may practice in all other matters and all other courts. This act shall become a law and be in full force and effect upon its passage and approval by the Governor, but it shall not affect the term of office of the present judge of the Elmore County Law & Juvenile Court or his successor in office. Such incumbent judge shall be the judge of the court created and established herein until the first Monday after the second Tuesday in January, 1975, and until his successor is elected and qualified as now required by law, or as provided in this act. He shall perform the duties, and receive the compensation as herein provided for the judge of this court.

Section 4. The term of office of the judge of this court, who shall be elected by the qualified electors of the county, at the general election for state and county officers in the year 1974 and every six years thereafter, shall be for six years from the first Monday after the second Tuesday in January, 1975, and until his successor is elected or appointed and qualified. Upon the passage and approval of this act, or upon its otherwise becoming a law, the Governor shall issue a commission to the incumbent judge of the Elmore County Law & Juvenile Court at the time this act becomes effective as judge of the Elmore County Court, as herein provided; and after the election of the judge of this court as herein provided the Governor shall likewise issue to him a commission as such judge. Before entering upon the duties of his office, the judge of this court shall take the oath of office in the form required by law to be taken by judges of the circuit court of this State and he shall be removed from office for the same causes and in the same manner as is now or may be hereafter provided for removal of circuit judges. In the event of the vacancy caused by the resignation, removal or death of the judge, or for other causes, the Governor shall fill the office by appointment and the person so appointed shall hold office as provided for in Section 158 of the Constitution of this State. In case the judge shall be unable at any time to discharge the duties of his office by reason of sickness, disqualifications, or other causes, the judge shall make, or cause to by made by the clerk thereof, when the facts warrant it, an order setting forth the reasons of his inability to sit in the court, and the order shall be spread on the minutes of the court. Thereupon, the clerk of this court shall designate and appoint in writing, which appointment shall be spread on the minutes of this court, some practicing attorney of the county or State of Alabama who is learned in the law, as special judge thereof, and the person so designated and appointed shall perform all of the duties and exercise all of the powers and authority of the judge of this court, and shall hold said office until the regular judge thereof shall resume his duties. The said special judge shall receive not less than $5.00 nor more than $50.00 as compensation for his services for each day he serves as judge of this court, said compensation to be fixed by the clerk of said court payable in the same manner and from the same funds as the compensation of the regular judge is paid. The regular judge of this court shall have authority to administer oaths, and take acknowledgments and affidavits in all cases, and to solemnize marriages, the same as circuit judges of this State.

Section 5. The judge of the Elmore County Court shall receive a salary of Ten thousand dollars ($10,000) per annum, payable in equal monthly installments out of the general fund of the county, upon the warrant of the probate judge. Such judge is hereby authorized and directed to issue monthly warrants which shall be a preferred claim against the general fund.

Section 6. The clerk of the Circuit court of the county shall act and be clerk of the Elmore County Court, hereby established, and he shall keep a civil and criminal docket of all cases brought before the court, and all of the minutes and records as are now required by law to be kept by clerks of the circuit courts, and he shall have authority to issue all necessary summonses and complaints as to all cases filed in the court, and all other civil and criminal process which clerks of the circuit courts are now required or empowered by law to issue. He shall have authority to swear witnesses at the trial of all cases in the court. It shall be the duty of the clerk to tax and collect in each civil and criminal case in the Elmore County Court the same costs and fees for services of the solicitor, the clerk, the sheriff, and the witnesses as are now allowed by law to be taxed, charged, and collected in the circuit court of this State, which he shall disburse as is now required of said fees in the circuit courts of Elmore County, except as may be hereinafter pro-

vided. It shall also be the duty to collect, or receive from the sheriff, all fines and forfeitures in the court, which together with the solicitor's fees taxed and collected in the court, he shall pay into the fine and forfeiture fund of the county, in the same manner as now provided for the disposition of such funds in the circuit court of Elmore County. The clerk shall tax in each civil case, except when the amount involved is less than $101.00, a trial fee of two dollars and shall tax in all criminal cases a trial fee as hereinafter provided, to be collected as all other costs are collected, and when collected, to be paid into and become a part of the general fund of the county. The court costs and fees in all prosecutions in the Elmore County Court for violations of the prohibition laws, for carrying a concealed weapon, and for petit larceny or offenses of petit larceny grade, adultery, and assault with a weapon, shall be the same as those prescribed for county courts by the general laws of the state, except that the trial tax in such cases shall be three dollars. The court costs and fees for misdemeanors other than violation of the prohibition laws, carrying a concealed weapon, petit larceny or offenses punishable like petit larceny, adultery, and assault with a weapon, in bastardy proceedings, in peace proceedings, and in preliminary examinations shall be the same as those prescribed by the general laws of the state; provided, that in all such cases the trial tax shall be one dollar and no solicitor's fee shall be taxed as a part of the cost. Witness fees taxed and collected in civil cases shall be retained by the clerk and paid over to any witness entitled to such fee, who in not more than five days proves his attendance upon the court in any case therein pending by obtaining a witness certificate, and who presents to the clerk such certificate for payment within ninety days after the payment of costs in the cases in which the certificates were issued. No costs shall be taxed in any civil case for witness fees of any witness who fails to prove his attendance as a witness and to obtain a witness certificate within the five day period prescribed. In case any civil witness certificate is issued, but not presented for payment within ninety days after the payment of costs in the case in which the certificate was issued, the witness fee shall revert to the general fund of the county. The clerk shall pay to the county treasurer, for the use of the general fund, all such reverted fees in his hands on the first Monday of each month. State witness fees in criminal cases shall be taxed, collected, paid into, and disbursed from the fine and forfeiture fund of the county. Each witness attending court in civil cases shall be entitled to seventy five cents per day and five cents per mile actually travelled by the most direct route in going to court and returning home and the witness fees shall be taxed as a part of the costs and shall be collected and disposed of as herein provided. It is expressly provided that Act No. 586 approved September 8, 1967 (1967 Acts of Alabama, Volume II page 1358 and 1359), shall apply to said Court, and that the costs and fees provided for therein shall be collected in addition to the costs and fees provided for in this Act. The clerk shall attend upon the sessions of the court at such hours as are designated by the judge thereof and shall perform such other duties as may be prescribed by the judge of the court and by this act, either in person or by deputy. The clerk shall issue certificates of judgments of the court, in the same form as is now provided by law for issuance of certificates of judgments from the circuit courts. The owner of any judgment rendered by the court may file in the office of the judge of probate of any county in this State such certificate of judgment issued by the clerk as hereinabove provided, under the same procedure and in the same manner as is now or may hereafter be provided for filing certificates of judgments rendered by the circuit courts of this State; and when so filed such judgments shall be a lien in the county where filed on all property of the defendant which is subject to levy and sale under execution. The filing of such certificate of judgment shall be notice to all persons of the existence of the lien thereby created. Such lien shall continue for ten years from the date

of such judgment and no insolvency proceedings or declaration of insolvency shall affect or impair such lien, except bankruptcy proceedings instituted within four months after the filing of the certificate, provided by law. Execution may be issued at any time within ten years from the date of such judgment, whether execution has been previously issued or not. The clerk of the court, before entering into the duties of his office, shall give bond in such penal sum as may be prescribed by the court of county commissioners of the county, payable and conditioned as are official bonds required of clerks of the circuit courts, to be taken and approved by the judge of probate of the county, and recorded in the probate office of the county. There shall be the same liabilities and remedies upon said bonds as upon bonds of the clerks of the circuit court of this state. The premium on the bond or bonds shall be paid out of the general fund of the county.

Section 7. The sheriff of Elmore County shall, in person, or by deputy, be required to attend upon the court and to preserve order and execute all writs or process issued therefrom, and to perform such other duties in all respect as he is required by law to perform in the circuit court of Elmore County.

Section 8. The deputy solicitor for the county shall prosecute for the state all criminal cases in the court created by this act. His entire compensation shall be a salary of Four thousand eight hundred dollars ($4,800) per annum, to be paid out of the general fund of the county, in equal monthly installments on the warrant of the probate judge. Such warrants shall be preferred claims against the general fund of the county.

Section 9. There shall be a Tallessee Division and a Wetumpka Division of the Court. The Tallessee Division shall include and be composed of the following beats or precincts in Elmore County, viz: Precinct 1, precinct 2, precinct 3, precinct 4, precinct 13, and precinct 19; and the Wetumpka Division shall include and be composed of the following precincts in Elmore County, viz: Precinct 5, precinct 6, precinct 7, precinct 8, precinct 9, precinct 10, precinct 11, precinct 12, precinct 14, precinct 15, precinct 16, precinct 17, and precinct 18. The sessions of the court of the Tallassee Division shall be held at some place in the city of Tallassee or in the police jurisdiction thereof, and the sessions of the court of the Wetumpka Division shall be held at the Court house in the City of Wetumpka. The court, at the discretion of the judge, shall be open any day during the week, except Sunday, for the trial of cases coming within the jurisdiction of the court. On the first and third Mondays of each month there shall be held a session of the court for the handling, trial, and disposition of all criminal and quasi-criminal cases therein pending in the Wetumpka Division of Elmore County, which shall continue as long as necessary to dispose of the docket; and on the second Monday of each month there shall be held a session of the court for the handling, trial, and disposition of all cases therein pending in the Tallassee Division of Elmore County, which shall continue as long as necessary to dispose of the docket. On the fourth Monday of each month, there shall be held a session of the court in the Wetumpka Division for the handling, trial and disposition of all civil cases therein pending which shall continue as long as necessary to dispose of the docket. But any session of the court in either of the divisions may be dispensed with and continued by the judge when, in the opinion of the judge, the public good or public necessity requires such continuance. As to all civil and criminal actions of which the court shall have jurisdiction, the venue of the acts shall be determined as if each of the two divisions of the county hereinabove provided for constituted a separate county, except that after any actions instituted in either division of the court, the judge of the court shall have the power and authority to order the transfer or removal of any such action to the other division of

the court for trial. All suits and actions on contract or in tort except as otherwise provided in this act must be brought in the division in which the defendant or one of them resides or in which the debt was created or cause of action arose.

Section 10. All prosecutions for misdemeanors may be instituted in the court by making affidavit before the judge or the clerk of the court, and the writ on said affidavit shall be issued by the clerk. In all preliminary proceedings in prosecutions for felonies begun in the court, the same may by instituted by affidavit before the judge or clerk, and the writ thereon shall be issued by the judge or the clerk. When the defendant is arrested on affidavit and warrant charging a misdemeanor the case shall go to the docket for trial and be tried as though the defendant had been indicted by a grand jury, except as hereinafter provided. The defendant shall not be put upon trial in any cause within five days of his arrest, except with his consent. The judge of the court shall have the right and authority to issue all processes returnable into his court that are not especially provided to be issued by the clerk of the court, but he shall not prepare any summons and complaints, garnishments, detinue attachments, papers or other writs of process issuing out of said courts. All writs must be made returnable to the division of this court in which the alleged crime was committed.

Section 11. All criminal cases in the court shall be tried by the judge thereof without a jury, and the accused shall not have the right to demand a trial by jury, but in all trials of criminal cases in the court, the judge shall determine both the law and the facts without the intervention of a jury, and in cases of conviction the defendant shall have the right to appeal to the circuit court as provided for in Section 326 of Title 13 of the Code of Alabama (1940,) except that appeal bonds shall be approved by the clerk of the court, and a jury trial may there be had on the demand of the defendant, made at the time of taking the appeal.

Section 12. A party aggrieved or desiring to bring a charge of misdemeanor before this court may, upon applying to the judge or clerk for a warrant of arrest and upon making affidavit in writing that he has probable cause for believing and does believe, that a specifically identified property, as the case may be, then the judge or clerk of the court shall examine the affiant under oath, and other witnesses if he so desires, touching the offense charged in the affidavit, and if the judge or clerk has probable cause for believing that the offense alleged in the affidavit has been committed he shall issue his warrant of arrest as hereinabove provided. When there is an objection to the validity or sufficiency of any affidavit, complaint, or warrant pending in this court or when a defect appears in any of the same, the solicitor or other person prosecuting for the state shall have the right to amend any or all the papers to which the objection is directed, or where such defect appears; or the solicitor may instead of amending the papers, make a brief statement of the cause of complaint signed by him, which may be substantially in the form provided in Section 259 of Title 15 of the Code of Alabama (1940) as amended and may be amended as herein provided. Thereupon the court shaall proceed to try the case either upon the original papers or the original as amended, or upon the statement or statements filed by the solicitor or other person prosecuting for the state.

Section 13. All proceedings in the court as to judgment for fine and costs, confession of judgment and executions thereon, sentence to jail or hard labor for fines and costs, and as additional punishment, bail, conditional judgments, forfeitures, judgments, final and alias warrants of arrest, shall be the same in the Elmore County Court, as are now, or may hereafter be, provided for by law in the circuit courts; and

conditional judgments may be set aside therein, reduced, or made absolute and the same orders and judgments may be made and taken in such matters as could be made or taken in the circuit courts; and the same procedure shall be followed, except as otherwise provided by this act.

Section 14. The trial of all criminal appeals from this court in the circuit court shall be de novo, and without any indictment or presentment by the grand jury; but the solicitor shall make a brief statement of the cause of complaint signed by him, in substantially the form prescribed by Section 259 of Title 15 of the Code of Alabama (1940), as amended, or the trial may proceed upon the original affidavit or complaint. On the trial of such appeal, the court shall be governed by the same rules as to evidence, practice, find of the jury, and punishment as if the case had originated in that court.

Section 15. All general laws relating to misdemeanors, now in force or that may hereafter be enacted, shall apply to and extend to this court, unless the contrary be expressly provided or limited by the laws so enacted.

Section 16. In all civil actions in this court the pleadings and process and the time for filing pleadings shall conform to and be governed by the statute and rules obtaining in the circuit court of Elmore County, except that the issuance, levy, and collection of executions from this court shall be controlled by the laws now applicable to justice courts of this state, and the defendant shall have only ten days to plead, answer, or demur to a complaint filed against him.

Section 17. In all civil matters in this court the trial of the same shall in all respects be governed by the same rules of pleading, evidence, procedure, and practice as now prevail or govern in the circuit courts of this state, except as hereinafter provided. A party litigant after being served with statutory interrogatories shall be required to answer the interrogatories within thirty days, and upon his failure to do so shall be subject to the same pains and penalties as are now provided by law for failure to answer interrogatories propounded in the circuit court. Any party desiring to appeal from any judgment rendered in this court, except from judgments for the possession of real estate, may give security for the cost of the appeal in the form of an appeal bond, said bond to be approved by the clerk of said court; provided that if the party appealing desires to have the judgment superseded, when the judgment is for the payment of money or for the recovery of possession of personal property he may do so by giving a supersedeas bond with good and sufficient security or surety in such an amount as herein provided payable to the adverse party and approved by the clerk with the condition that if he fail in the appeal he will pay such judgment as the circuit court may render in the premises and all such cost and damages as any party aggrieved may sustain by reason of the wrongful appeal and suspension of the execution of the judgment. The appeal bond and security of surety for court cost and supersedeas bonds must be filed with and approved by the clerk within ten days from the date of the rendition of the judgment. The supersedeas bond shall be in an amount double the amount of the judgment and cost of court in the case of a judgment for the pay ment of money; and shall be in the amount double the value of the personal property recovered in the suit and court costs, in the case of a judgment for the recovery of or possession of personal property. Any party desiring to appeal from any judgment rendered in this court for the possession of real estate may do so and that appeal shall be governed in all respects, including time allowed within which to take the appeal, amount and condition of appeal bond and in all other respects, by the general laws of this state relating to appeals in such cases from judgments of justice of the peace courts. Notice

of all appeals in civil cases from this court shall be given the adverse party in such manner and for such time as is prescribed by the general laws of this state relating to notice of appeals from judgments rendered in justice of the peace courts.

Section 18. All civil cases in this court shall be tried by the judge without the intervention of a jury. The judge shall determine both the law and the facts, and either party shall have the right to appeal to the circuit court as hereinabove provided, and on appeal either party may demand a trial by jury on the trial in the circuit court and the trial in the circuit court shall be de novo.

Section 19. Final judgments rendered in civil causes in such court shall after the expiration of ten days from their rendition be taken and deemed to have passed beyond the control of the court, as if such term of the court at which the judgments were rendered had ended; provided, however, that nothing herein contained shall prevent the parties from filing a motion to vacate, set aside, or modify such judgment or grant a new trial or rehearing within ten days, or change or destroy the office of motion for a new trial or rehearing, when so made. Such motions shall be filed with the clerk of the court and called to the attention of the court, and the court may thereupon hear the motion or make an order continuing the motion for hearing at a future day, which motion shall be heard and determined within thirty days from the date of rendering the judgment.

Section 20. The judge of this court shall have the power to impose fines and sentence to hard labor upon convictions in misdemeanor cases, and to punish for contempt by fine not to exceed $50.00, and imprisonment in the county jail not to exceed five days, either or both, the same as judges of the circuit courts of this state. The judge of this court shall also have power to issue, hear, and determine writs of habeas corpus. The procedure, practice, and rules of the circuit courts of Alabama relating to such writs as are now, or which hereafter may be provided by law shall prevail in the Elmore County Court, and appeals from judgments or decrees in habeas corpus proceedings shall be governed by Code 1940, Title 15, Section 369. The judge shall have the same power relating to such writs as is now, or hereafter may be, conferred upon the judges of the circuit courts of Alabama; and such power shall extend to all cases where the judges of the circuit courts have the authority to issue such writs.

Section 21. The judge of this court shall keep an office in the court house of the county, or in such other suitable place in the county as the court of county commissioners may provide; and it shall be the duty of the court of county commissioners to provide an office for the judge, and to furnish and supply the office with the necessary fixtures, stationery, stamps, telephone, lights, heat, and other necessary supplies for the judge of this circuit; and it shall be the duty of the court of county commissioners, and they are hereby directed and authorized, to supply the clerk of the court the necessary minute books, dockets, blank forms, records books, and such other books, records, and blank forms, as are reasonably necessary to the dispatch of the business of this court.

Section 22. The Elmore County Law & Juvenile Court is hereby abolished and all cases and causes now pending in such court, together with the records pertaining to such pending cases, are hereby transferred to the Elmore County Court. Immediately upon the passage and approval of this act or upon its otherwise becoming a law, such court shall assume complete jurisdiction over all such pending cases, and shall have the same power and control over the same as if they had been originally filed in the Elmore County Court, except as to

appeals in habeas corpus cases. The clerk of this court shall enter on the appropriate dockets of this court all cases now pending in the Elmore County Law and Juvenile Court. All judgments heretofore rendered by such court shall be the same and shall have the same force and effect as if they had been rendered by the Elmore County Court, and such court shall have the same power and control, except as to appeals in habeas corpus cases, over such judgments and shall issue executions and all other processes thereon, the same and as fully and completely as if such judgments had been originally rendered in the Elmore County Court. All of such executions and other processes issued on judgments heretofore rendered by the Elmore County Law and Juvenile Court shall be issued by the clerk of the Elmore County Court.

Section 23. If, for any reason any section, clause or provision of this act shall be declared to be invalid, or unconstitutional, it shall not be held to affect any other section, clause or provisions but the same shall remain in full force and effect.

Section 24. All laws and parts of laws, whether local, general or special, in so far as they conflict with the provisions of this act, are hereby repealed.

Section 25. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared John P. Harris, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Wetumpka Herald, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1969.

JOHN P. HARRIS.

Sworn to and subscribed before me May 28, 1969.

MRS. ELLEN T. HARRIS,
Notary Public.

Also:

By Mr. Radney:

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Camp Hill in Tallapoosa County are hereby altered, rearranged, redefined and extended so as to include within the corporate limits of the Town a tract of land more particularly described as follows:

In Section 8, Township 21 North, Range 24 East: The southwest quarter and the southeast quarter.

In Section 9, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

In Section 10, Township 21 North, Range 24 East:

The southwest quarter and the southeast quarter.

Section 17, Township 21 North, Range 24 East.

Section 16, Township 21 North, Range 24 East.

Section 15, Township 21 North, Range 24 East.

Section 20, Township 21 North, Range 24 East.

Section 21, Township 21 North, Range 24 East.

Section 22, Township 21 North, Range 24 East.

In Section 29, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 28, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

In Section 27, Township 21 North, Range 24 East: the northwest quarter and the northeast quarter.

All the above described lands lying in Sections 8, 9, 10, 15, 16, 17, 20, 21, 22, 29, 28, and 27, Township 21 North, Range 24 East, Tallapoosa County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the DADEVILLE RECORD, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama,

said notice having appeared in the issues of said paper on December 19, December 26, January 2, and January 9, all in the year 1968 and 1969, respectively.

J. C. HENDERSON.

Sworn to and subscribed before me January 13, 1969.

VONCILLE M. DEAN,
Notary Public, State of Alabama at Large.

My commission expires January 18, 1971.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 263. Local Legislation No. 1.

S. 379. Local Legislation No. 1.

S. 424. Local Legislation No. 1.

S. 425. Local Legislation No. 1.

CONSIDERATION OF H. 462 RESUMED

On motion of Mr. House, the bill, H. 462, was indefinitely postponed.

BILLS ON THIRD READING RESUMED

And the bill:

H. 108 (with amendment). Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said Committee amendment being as follows:

Amend H. B. 108 by deleting therefrom in Section One, the words "Session held in odd numbered years shall not be continued for more than eighty-four calendar days, and Session held in even-numbered years shall be completed within forty-two calendar days, unless the two houses shall agree to an extended recess, in which case, the period of the recess shall not be counted against the calendar-day limitation".

And amendment was adopted.

Yeas 57; Nays 8.

Yeas:

Messrs.:	Berryman (W)	Collins (W)	Edington
Adwell	Brassell	Cook (Coffee)	Ellis
Agee	Brown	Culver	Garrett
Bank	Burgess	Dill	Gloor
Bassett	Cameron	Doss	Graham
Berryman (R)	Collins (C)	Drake	Grayson

Haygood	Marr	Pennington	Tuck
Hill	McCorquodale	Perloff	Turnham
Hobbie	McElhaney	Robertson	Waggoner
House	McLain	Sessions	Watkins
Jones	Merrill	Shumate	Weeks
Kilgore	Money	Smith	Wood
Lybrand	Owen (Baldwin)	Snell	Wright
Malone	Owens (W.E.)	Springer	Yeilding
Manley	Pearson		—57

Nays:

Mr. Speaker	Crawford	Lyons	Slate
Cherner	Downing	Nettles	Stembridge
			—8

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until Wednesday, June 25, 1969, at 12 o'clock Noon was lost.

Yeas 24; Nays 44.

Yeas:

Mr. Speaker	Burgess	Graham	Owen (Baldwin)
Bank	Crawford	Harper	Robertson
Berryman (W)	Culver	Haygood	Shumate
Brannan	Doss	Kilgore	Slate
Brassell	Downing	Lyons	Tuck
Brown	Drake	Marr	Watkins
			—24

Nays:

Messrs.:	Edington	Manley	Sessions
Adwell	Ellis	McCorquodale	Smith
Agee	Gafford	McElhaney	Snell
Bassett	Garrett	McLain	Springer
Berryman (R)	Gloor	Merrill	Stembridge
Cameron	Grayson	Money	Turnham
Cherner	Hobbie	Nettles	Waggoner
Collins (C)	House	Owens (W.E.)	Weeks
Collins (W)	Jones	Pennington	Wood
Cook (Coffee)	Lybrand	Perloff	Wright
Cook (Jefferson)	Malone	Pruitt	Yeilding
Dill			—44

MOTION TO ADJOURN LOST

The motion of Mrs. Collins (C) that the House adjourn until Wednesday, June 25, 1969, at 12 o'clock Noon was lost.

Yeas 33; Nays 34.

Yeas:

Mr. Speaker	Culver	Harper	Pearson
Bank	Dill	Haygood	Robertson
Berryman (W)	Dobbs	Headley	Shumate
Brassell	Doss	Hill	Slate
Brown	Downing	Lyons	Stembridge
Burgess	Drake	Marr	Tuck
Cameron	Edington	Merrill	Watkins
Collins (C)	Graham	Owens (W.E.)	Weeks
Crawford			—33

Nays:

Messrs.:	Garrett	Manley	Sessions
Adwell	Gloor	McCorquodale	Smith
Agee	Grayson	McElhaney	Snell
Bassett	Hobbie	McLain	Springer
Berryman (R)	House	Money	Turnham
Cherner	Jones	Nettles	Waggoner
Collins (W)	Kilgore	Pennington	Wood
Cook (Coffee)	Lybrand	Perloff	Yeilding
Ellis	Malone	Pruitt	

—34

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until Wednesday, June 25, 1969, at 12 o'clock Noon was lost.

Yeas 36; Nays 36.

Yeas:

Mr. Speaker	Dill	Haygood	Owens (W.E.)
Bank	Dobbs	Headley	Pearson
Berryman (W)	Doss	Hill	Robertson
Brassell	Downing	Jackson (T)	Shumate
Brown	Drake	Lyons	Slate
Cameron	Edington	Malone	Stembridge
Collins (C)	Graham	Marr	Tuck
Crawford	Harper	Meade	Watkins
Culver	Harris	Merrill	Weeks

—36

Nays:

Messrs.:	Gafford	Lybrand	Pruitt
Adwell	Garrett	Manley	Sessions
Agee	Gloor	McCorquodale	Smith
Bassett	Grainger	McElhaney	Snell
Berryman (R)	Grayson	McLain	Springer
Cherner	Hobbie	Money	Turnham
Collins (W)	House	Nettles	Waggoner
Cook (Coffee)	Jones	Pennington	Wood
Cook (Jefferson)	Kilgore	Perloff	Yeilding
Ellis			

—36

ADJOURNMENT

On motion of Mr. Watkins, the House adjourned until 12 o'clock Noon on Wednesday, June 25, 1969.

Yeas 41; Nays 35.

Yeas:

Mr. Speaker	Culver	Headley	Owens (W.E.)
Bank	Dobbs	Hill	Pearson
Beck	Doss	Jackson (T)	Robertson
Berryman (W)	Downing	Lyons	Shumate
Bowers	Drake	Malone	Slate
Brassell	Edington	Marr	Stembridge
Brown	Graham	Mays	Tuck
Cameron	Harper	Meade	Watkins
Collins (C)	Harris	Meeks	Weeks
Cook (Jefferson)	Haygood	Merrill	Wright
Crawford			

—41

Nays:

Messrs.:	Gafford	Manley	Sessions
Adwell	Garrett	McCorquodale	Smith
Agee	Gloor	McElhaney	Snell
Bassett	Grayson	McLain	Springer
Berryman (R)	Hobbie	Money	Turnham
Cherner	House	Nettles	Waggoner
Collins (W)	Jones	Pennington	Williams
Cook (Coffee)	Kilgore	Perloff	Wood
Ellis	Lybrand	Pruitt	Yeilding

—35

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 25, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend W. H. Swearingen, Pastor, Friendship Baptist Church, Grady, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jones	Pearson
Adwell	Doss	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Berryman (R)	Fine	Lyons	Sessions
Berryman (W)	Foshee	Malone	Shumate
Blanton	Gafford	Manley	Slate
Bolton	Garrett	Marr	Smith
Bowers	Gloor	Mathews	Snell
Brannan	Graham	Mays	Springer
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Burgess	Hain	McElhaney	Stembridge
Burgreen	Hardin	McLain	Stubbs
Cameron	Harper	Meade	Tuck
Cherner	Harris	Meeks	Turnham
Collier	Haygood	Melton	Waggoner
Collins (C)	Headley	Merrill	Watkins
Collins (W)	Higginbotham	Money	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wood
Crane	Holladay	Owens (W)	Wright
Crawford	Holman	Owens (W.E.)	Yeilding
Culver	House	Paulk	Young
Dill	Jackson (F)		

—102

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefullly examined the Journal of the House for the fourteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourteenth legislative day was approved.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:45 P. M. On June 24, 1969

H. 16

H. 350

H. 591

H. 326

JOHN W. PEMBERTON,
Clerk.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 61. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Fifteenth Legislative Day, taking precedence over any other business in the House on this day:

Uncontested Local Bills

HB 189, Page 16

HB 621, Page 39

HB 622, Page 39

HB 281, Page 40

HB 282, Page 40

HB 283, Page 41

SB 303, Page 73

HB 843, Page 86

HB 673, Page 83

HB 396, Page 73
HB 78, Page 42
HB 289, Page 53
HB 290, Page 53
HB 288, Page 13
HB 362, Page 72
HB 358, Page 28
HB 359, Page 28
HB 236, Page 18
HB 70, Page 30
HB 71, Page 30
HB 349, Page 9
HB 668, Page 61
HB 464, Page 37
HB 271, Page 36
HB 478, Page 35
HB 452, Page 59
HB 588, Page 33
HB 375, Page 17
HB 754, Page 72
HB 458, Page 33
HB 79, Page 41
HB 764, Page 71
HB 28, Page 3
HB 169, Page 70
HB 298, Page 10
HB 299, Page 10
HB 300, Page 11
HB 301, Page 11
HB 302, Page 11
HB 303, Page 12
HB 141, Page 19
HB 109, Page 9
HB 217, Page 31

On motion of Mr. Merrill, the rules were suspended and H. R. 61 was adopted.

LEAVE OF ABSENCE

On motion of Mr. McDonald, leave of absence was granted to Mr. Drake for personal business.

BILLS ON THIRD READING

And the bill:

H. 704. Relating to all counties having populations of not less than 37,000 nor more than 41,000; regulating the compensation of certain officers, providing compensation for clerks, deputies, assistants and secretaries, and providing for operation of their offices.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owens (W)
Bassett	Edington	Jones	Owens (W.E.)
Beck	Fine	Kilgore	Paulk
Berryman (W)	Foshee	Lemley	Pruitt
Blanton	Gafford	Lybrand	Robertson
Bowers	Garrett	Lyons	Slate
Brannan	Gloor	Malone	Smith
Brassell	Graham	Manley	Snell
Brown	Grainger	Marr	Stembridge
Cameron	Grayson	Mays	Stubbs
Cherner	Hardin	McDonald	Tuck
Collier	Harper	McElhaney	Turnham
Collins (W)	Harris	Meade	Weeks
Crane	Headley	Meeks	Wood
Crawford	Higginbotham	Melton	Wright
Culver	Hill	Money	Yeilding
Dill	Hobbie	Nettles	Young
Dobbs	House	Owen (Baldwin)	—71

And the bill:

H. 705. Relating to all counties having populations of not less than 37,000 nor more than 41,000 according to the most recent federal decennial census, fixing the per diem pay for members of the board of equalization.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Brannan	Cook (Coffee)	Foshee
Bank	Brassell	Crawford	Gafford
Bassett	Brown	Culver	Gloor
Beck	Cameron	Dill	Graham
Berryman (R)	Cherner	Dobbs	Grainger
Berryman (W)	Collier	Downing	Grayson
Blanton	Collins (C)	Edington	Hardin
Bowers	Collins (W)	Fine	Harper

Harris	Lyons	Money	Snell
Headley	Malone	Nettles	Springer
Higginbotham	Manley	Owen (Baldwin)	Stembridge
Hill	Marr	Owens (W)	Stubbs
Hobbie	Mathews	Owens (W.E.)	Tuck
House	Mays	Paulk	Turnham
Jackson (F)	McDonald	Pearson	Waggoner
Jones	McElhaney	Perloff	Weeks
Kilgore	Meade	Pruitt	Wood
Laxson	Meeks	Robertson	Wright
Lemley	Melton	Shumate	Yeilding
Lybrand	Merrill	Smith	Young

—80

And the bill:

H. 788. Relating to all counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; authorizing, but not requiring, the governing body of each of such counties to fix the amount and prescribe the manner of compensating the members of the jury commissions of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Paulk
Bassett	Downing	Lemley	Perloff
Beck	Edington	Lybrand	Pruitt
Berryman (R)	Fine	Lyons	Robertson
Berryman (W)	Foshee	Malone	Shumate
Blanton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Burgess	Grainger	McCorquodale	Starnes
Cameron	Grayson	McDonald	Stembridge
Cherner	Harper	McElhaney	Stubbs
Collier	Harris	Meade	Tuck
Collins (C)	Headley	Meeks	Turnham
Collins (W)	Higginbotham	Melton	Waggoner
Cook (Coffee)	Hill	Merrill	Weeks
Crane	House	Money	Wood
Crawford	Jackson (F)	Nettles	Wright
Culver	Jones	Owen (Baldwin)	Yeilding
Dill	Kilgore	Owens (W)	Young

—80

And the bill:

H. 789. Relating to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W.E.)
Bassett	Doss	Jackson (F)	Paulk
Beck	Downing	Jones	Pruitt
Berryman (R)	Edington	Kilgore	Robertson
Berryman (W)	Ellis	Laxson	Shumate
Blanton	Fine	Lemley	Slate
Bowers	Foshee	Lybrand	Smith
Brannan	Gafford	Lyons	Snell
Brassell	Garrett	Malone	Springer
Burgess	Gloor	Manley	Starnes
Cameron	Graham	Marr	Stembridge
Cherner	Grainger	Mathews	Stubbs
Collier	Grayson	McCorquodale	Tuck
Collins (C)	Hardin	McElhaney	Turnham
Collins (W)	Harper	Meade	Waggoner
Cook (Coffee)	Harris	Meeks	Weeks
Crane	Headley	Melton	Wright
Crawford	Higginbotham	Merrill	Yeilding
Culver	Hill	Money	Young
Dill	Hobbie	Owens (W)	—79

And the bill:

H. 801. To apply only in counties having populations of not less than 57,000 nor more than 61,000, providing an expense allowance payable from the county treasury for the use of the coroner.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W.E.)
Bassett	Doss	Jones	Paulk
Beck	Downing	Kilgore	Perloff
Berryman (R)	Edington	Laxson	Pruitt
Berryman (W)	Ellis	Lemley	Shumate
Blanton	Fine	Lybrand	Slate
Bowers	Foshee	Lyons	Smith
Brannan	Gafford	Malone	Snell
Brassell	Garrett	Manley	Springer
Brown	Gloor	Marr	Starnes
Burgess	Graham	Mays	Stembridge
Cameron	Grainger	McCorquodale	Stubbs
Cherner	Grayson	McElhaney	Tuck
Collier	Hardin	Meade	Turnham
Collins (W)	Harper	Meeks	Waggoner
Cook (Coffee)	Harris	Melton	Weeks
Cook (Jefferson)	Headley	Merrill	Wood
Crane	Higginbotham	Money	Wright
Crawford	Hill	Nettles	Yeilding
Culver	Hobbie	Owen (Baldwin)	Young
Dill	House	Owens (W)	—83

And the bill:

H. 189. To abolish the office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to

provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a deputy director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 79; Nays 3.

Yeas:

Mr. Speaker	Edington	Laxson	Pennington
Bassett	Ellis	Lemley	Perloff
Berryman (R)	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Mays	Snell
Brassell	Graham	McCorquodale	Springer
Burgess	Grainger	McElhaney	Starnes
Cameron	Grayson	McLain	Stembridge
Collier	Hardin	Meade	Stubbs
Collins (C)	Harper	Meeks	Tuck
Cook (Coffee)	Harris	Melton	Turnham
Crane	Headley	Merrill	Weeks
Crawford	Hill	Money	Williams
Culver	Hobbie	Nettles	Wood
Dill	House	Owen (Baldwin)	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding
Doss	Jones	Owens (W.E.)	Young
Downing	Kilgore	Paulk	—79

Nays: Messrs. Cherner, Marr and Robertson —3

And the bill:

S. 189. To provide for the regulation and control of state-owned motor vehicles for official use by state officers and employees; to limit the number, cost and use of such vehicles; to provide for a transportation pool and to fix the resposibility for the maintenance and repair of vehicles therein; to establish a revolving fund for the use of the transportation pool, providing for the payment of certain fees and charges for the use of pool cars to be paid into such fund and appropriating state funds therefor; to provide for the administration and enforcement of this act and to prescribe penalties for violations; to ratify all acts of the Governor and finance director in establishing a transportation pool and to validate the transfer of funds allocated to state departments for the acquisition of automobiles to the finance department for the establishment of a transportation pool.

Was taken up.

Mr. Berryman (W) offered the following amendment to the bill, S. 189:

In Section 7 add the following immediately prior to that sentence which begins "The Director of the Department of Public Safety" etc.

It shall be a misdemeanor for any state employee to obliterate, alter, cover or conceal all or any portion of a license plate affixed to a state vehicle.

And the amendment was adopted.

Yeas 75; Nay 1.

Yeas:

Mr. Speaker	Ellis	Kilgore	Owens (W.E.)
Bassett	Fine	Laxson	Paulk
Berryman (R)	Foshee	Lemley	Pruitt
Berryman (W)	Garrett	Lybrand	Robertson
Blanton	Graham	Malone	Sessions
Bowers	Grainger	Manley	Shumate
Brannan	Grayson	Marr	Slate
Brassell	Hardin	Mays	Snell
Collier	Harper	McCorquodale	Springer
Collins (C)	Harris	McDonald	Starnes
Collins (W)	Haygood	McElhaney	Stembridge
Cook (Coffee)	Headley	McLain	Tuck
Cook (Jefferson)	Higginbotham	Meade	Turnham
Crawford	Hill	Meeks	Weeks
Culver	Hobbie	Melton	Williams
Dill	Holladay	Merrill	Wood
Dobbs	House	Money	Wright
Downing	Jackson (F)	Nettles	Young
Edington	Jones	Owens (W)	—75

Nay: Mr. Burgess —1

Mr. Smith offered the following amendment to the bill, S. 189:

Amend S. B. 189 by adding to Section 1 thereof the following sentence: "Provided, however, that automobiles furnished for the use of field biologists in the employment of the Department of Conservation may be station wagons equipped as the Finance Director may direct."

On motion of Mr. Berryman (W), the motion of Mr. Smith to the bill, S. 189 was tabled.

Yeas 41; Nays 40.

Yeas:

Mr. Speaker	Downing	House	Paulk
Bank	Edington	Kilgore	Pennington
Berryman (W)	Fine	Lemley	Pruitt
Blanton	Garrett	Lybrand	Sessions
Brassell	Gloor	Malone	Shumate
Burgess	Grainger	Manley	Snell
Cameron	Hain	McDonald	Springer
Collins (W)	Harris	McElhaney	Stembridge
Cook (Jefferson)	Headley	Meade	Weeks
Crawford	Hill	Merrill	Williams
Dobbs			—41

Nays:

Messrs.:	Dill	Laxson	Perloff
Adwell	Ellis	Lyons	Robertson
Agee	Foshee	Mays	Starnes
Bassett	Gafford	Meeks	Stubbs
Bowers	Hardin	Melton	Turnham
Brannan	Haygood	Money	Waggoner
Brown	Higginbotham	Nettles	Watkins
Cherner	Hobbie	Owens (W)	Wright
Collier	Jackson (F)	Owens (W.E.)	Yeilding
Crane	Jones	Pearson	Young
Culver			

—40

MOTION TO RECONSIDER VOTE LOST

Mr. Burgess, having voted with the prevailing side, moved to reconsider the vote by which the Smith amendment to the bill, S. 189, was tabled, and the motion lost.

Yeas 34; Nays 52.

Yeas:

Messrs.:	Culver	Lyons	Robertson
Adwell	Dill	Mays	Starnes
Bassett	Ellis	Meeks	Stembridge
Bowers	Gafford	Melton	Turnham
Cherner	Grayson	Money	Waggoner
Collier	Hardin	Nettles	Wright
Collins (C)	Hill	Owens (W)	Yeilding
Crane	Hobbie	Owens (W.E.)	Young
Crawford	Laxson	Perloff	

—34

Nays:

Mr. Speaker	Dobbs	Jackson (F)	Pruitt
Bank	Downing	Jones	Sessions
Berryman (R)	Edington	Kilgore	Shumate
Berryman (W)	Fine	Lemley	Slate
Blanton	Foshee	Lybrand	Smith
Brannan	Garrett	Malone	Snell
Brassell	Gloor	Manley	Springer
Brown	Grainger	McDonald	Stubbs
Burgess	Harris	McElhaney	Tuck
Cameron	Haygood	Meade	Watkins
Collins (W)	Headley	Merrill	Weeks
Cook (Coffee)	Higginbotham	Paulk	Williams
Cook (Jefferson)	House	Pennington	Wood

—52

Mr. Owen (Baldwin) offered the following amendment to the bill, S. 189:

Insert after Section 10 a new Section 11 as follows:

Section 11. The provisions of this Act shall not apply to motor vehicles provided for and operated by the employees of any state department, or officer when the head or chief executive officer of such department or such officer is an elective official of the State of Alabama.

Renumber the remaining sections accordingly.

On motion of Mr. Cook (Jefferson), the amendment offered by Mr. Owen (Baldwin) was tabled.

Yeas 53; Nays 35.

Yeas:

Mr. Speaker	Foshee	Laxson	Perloff
Bank	**Garrett**	Lemley	Pruitt
Berryman (R)	Grainger	Lybrand	**Sessions**
Berryman (W)	Hain	Malone	Shumate
Blanton	Harris	**Manley**	Slate
Brannan	Headley	Mathews	Smith
Brassell	Higginbotham	McDonald	Snell
Cameron	Hill	McElhaney	Springer
Collins (W)	Hobbie	Meade	Tuck
Cook (Coffee)	House	Merrill	Watkins
Cook (Jefferson)	Jackson (F)	Paulk	Weeks
Dobbs	Jones	Pearson	Williams
Edington	Kilgore	Pennington	Wright
Fine			

—53

Nays:

Messrs.:	Crane	Haygood	Robertson
Adwell	Crawford	Lyons	Starnes
Bassett	Culver	Mays	Stembridge
Bowers	Dill	Meeks	Stubbs
Brown	Downing	Melton	Turnham
Burgess	Ellis	Money	Waggoner
Cherner	Gafford	Nettles	Wood
Collier	Grayson	Owens (W)	Yeilding
Collins (C)	Hardin	Owens (W.E.)	Young

—35

And the bill, S. 189, as thus amended, was read a third time at length and passed.

Yeas 80; Nays 9.

Yeas:

Mr. Speaker	Ellis	Laxson	Pennington
Agee	Fine	Lemley	Perloff
Bank	Foshee	Lybrand	Pruitt
Bassett	**Garrett**	Malone	Sessions
Berryman (R)	**Gloor**	Manley	Shumate
Berryman (W)	**Graham**	Mathews	**Slate**
Blanton	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Cameron	Hain	McDonald	Springer
Cherner	Hardin	McElhaney	Starnes
Collier	Harper	Meade	Stembridge
Collins (C)	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Turnham
Cook (Coffee)	Higginbotham	Merrill	Watkins
Cook (Jefferson)	Hill	Money	Weeks
Crawford	Hobbie	Nettles	Williams
Culver	House	Owens (W)	Wood
Dobbs	Jackson (F)	Owens (W.E.)	Wright
Downing	Jones	Paulk	Yeilding
Edington	Kilgore	Pearson	Young

—80

Nays:

Messrs.:	Crane	Lyons	Stubbs
Bowers	Dill	Robertson	Waggoner
Burgess	Gafford		

—9

And the bill:

H. 621 (with amendment). To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Was taken up.

Mr. Marr offered the following amendment to the bill, H. 621:

Amend House Bill 621 by striking therefrom the whole of Section 2, III, F, (20), (e) and (f) and insert in lieu thereof the following:

(e) Health Department:

For the fiscal year ending September 30, 1970:		
For salaries	821,950.00	
For transfer to the County Health Work Account	425,000.00	
For study, care and treatment of cancer	85,000.00	
For a Mosquito Control Project in Baldwin and Mobile Counties: For salaries, other expenses and equipment purchases	25,000.00	
Total		1,356,950.00
For the fiscal year ending September 30, 1971:		
For salaries	779,000.00	
For transfer to the County Health Work Account	425,000.00	
For study, care and treatment of cancer	85,000.00	
For a Mosquito Control Project in Baldwin and Mobile Counties: For salaries, other expenses and equipment purchases	25,000.00	
Total		1,314,000.00

The above appropriation is payable from the funds transferred to this account from the General and Mental Health Fund as provided in Act No. 654, 1965 Regular Session.

(f) Health Department:

For the fiscal year ending September 30, 1970:		
For salaries	694,550.00	
For other expenses	572,000.00	
For equipment purchases	25,000.00	
For transfer to the County Health Work Account	384,000.00	
For a Mosquito Control Project in Baldwin and Mobile Counties: For salaries, other expenses and equipment purchases	25,000.00	
Total		1,700,550.00
For the fiscal year ending September 30, 1971:		
For salaries	840,000.00	
For other expenses	557,500.00	
For equipment purchases	25,000.00	

For transfer to the County Health Work Account	384,000.00	
For a Mosquito Control Project in Baldwin and Mobile Counties: For salaries, other expenses and equipment purchases	25,000.00	
Total		1,831,500.00

The above appropriation is payable from the funds transferred to this Account from the General and Mental Health Fund as provided in Act 275, 1967 Regular Session.

MOTION TO TABLE LOST

The motion of Mr. Mathews to table the amendment offered by Mr. Marr to the bill, H. 621, was lost.

Yeas 9; Nays 77.

Yeas:

Mr. Speaker	Malone	McDonald	Pennington
Berryman (W)	Manley	Meeks	Pruitt
Hill			—9

Nays:

Messrs.:	Dobbs	Kilgore	Pearson
Agee	Downing	Laxson	Perloff
Bank	Edington	Lemley	Robertson
Bassett	Ellis	Lybrand	Sessions
Beck	Fine	Lyons	Shumate
Berryman (R)	Foshee	Marr	Slate
Blanton	Gafford	Mays	Smith
Bowers	Gloor	McCorquodale	Starnes
Brannan	Graham	McElhaney	Stembridge
Brassell	Grainger	McLain	Stubbs
Brown	Grayson	Meade	Turnham
Burgess	Hain	Melton	Waggoner
Cameron	Hardin	Merrill	Watkins
Cherner	Harper	Money	Weeks
Collins (C)	Harris	Nettles	Williams
Collins (W)	Haygood	Owen (Baldwin)	Wood
Cook (Coffee)	Higginbotham	Owens (W)	Wright
Crane	Hobbie	Owens (W.E.)	Yeilding
Crawford	Jackson (F)	Paulk	Young
Dill	Jones		—77

And the amendment of Mr. Marr was adopted.

Yeas 80; Nays 9.

Yeas:

Mr. Speaker	Brannan	Cook (Jefferson)	Foshee
Agee	Brassell	Crane	Gafford
Bassett	Brown	Crawford	Gloor
Beck	Burgess	Dill	Graham
Berryman (R)	Cameron	Dobbs	Grainger
Berryman (W)	Cherner	Downing	Grayson
Blanton	Collins (C)	Edington	Hain
Bolton	Collins (W)	Ellis	Hardin
Bowers	Cook (Coffee)	Fine	Harper

Harris	Lyons	Nettles	Springer
Haygood	Marr	Owen (Baldwin)	Starnes
Higginbotham	Mays	Owens (W)	Stembridge
Hill	McCorquodale	Owens (W.E.)	Stubbs
Hobbie	McDonald	Paulk	Turnham
Holladay	McElhaney	Perloff	Waggoner
Jackson (F)	McLain	Robertson	Watkins
Jones	Meade	Sessions	Weeks
Kilgore	Melton	Shumate	Williams
Laxson	Merrill	Slate	Wood
Lybrand	Money	Smith	Yeilding

—80

Nays:

Messrs.:	Malone	Pearson	Tuck
Bank	Manley	Pruitt	Young
Lemley	Meeks		

—9

Mr. House offered the following amendment to the bill, H. 621:

Amend House Bill 621 by striking therefrom Section 2, III, (41) of the bill and inserting in lieu thereof the following:

"(41) OFFICE OF THE STATE TREASURER:

For the fiscal year ending September 30, 1970:

For the salary of the State Treasurer	15,000.00	
For other salaries	185,000.00	
For other expenses	53,000.00	
For equipment purchases	6,500.00	
Total		259,500.00

For the fiscal year ending September 30, 1971:

For the salary of the State Treasurer	15,000.00	
For other salaries	194,000.00	
For other expenses	55,000.00	
For equipment purchases	6,500.00	
For automotive equipment purchases	2,500.00	
Total		273,000.00"

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Burgess	Ellis	Headley
Agee	Cherner	Fine	Higginbotham
Bank	Collier	Foshee	Hill
Bassett	Collins (C)	Garrett	Hobbie
Beck	Collins (W)	Gloor	House
Berryman (R)	Cook (Jefferson)	Graham	Jackson (F)
Berryman (W)	Crane	Grainger	Jones
Blanton	Crawford	Grayson	Laxson
Bolton	Culver	Hain	Lemley
Bowers	Dill	Hardin	Lybrand
Brannan	Dobbs	Harper	Lyons
Brassell	Downing	Harris	Malone
Brown	Edington	Haygood	Manley

Marr	Money	Sessions	Tuck
McCorquodale	Nettles	Slate	Turnham
McDonald	Owen (Baldwin)	Smith	Waggoner
McElhaney	Owens (W.E.)	Snell	Watkins
McLain	Paulk	Springer	Weeks
Meade	Perloff	Starnes	Williams
Meeks	Pruitt	Stembridge	Wood
Melton	Robertson	Stubbs	Yeilding
Merrill			

—85

Mr. Merrill offered the following amendment to the bill, H. 621:

Amend H. B. 621 by striking therefrom the whole of Section 2, II, (2) and insert in lieu thereof the following:

"(2) THE COURT OF APPEALS:

For salaries of the three judges	57,000.00
For other salaries	87,500.00
For other expenses	6,500.00
For printing Appelate Court Reports, Estimated	4,875.00
For equipment purchases	1,000.00
Total	156,875.00"

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Paulk
Agee	Dobbs	Jones	Pearson
Bank	Downing	Kilgore	Pennington
Bassett	Edington	Laxson	Perloff
Berryman (R)	Ellis	Lemley	Pruitt
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Foshee	Lyons	Sessions
Bolton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Stubbs
Cherner	Hardin	Meeks	Tuck
Collier	Harper	Melton	Waggoner
Collins (C)	Harris	Merrill	Weeks
Collins (W)	Haygood	Money	Williams
Cook (Coffee)	Headley	Nettles	Wood
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Yeilding
Crane	Hill	Owens (W.E.)	Young
Crawford			

—81

Messrs. Meade and Beck offered the following amendment to the bill, H. 621:

Amend House Bill 621 by adding at the end of Section 2 III-E the following sub-section:

"(54) Terrapin Creek Watershed ..... 10,000.00"

MOTION TO TABLE LOST

The motion of Mr. Mathews to table the motion of Messrs. Meade and Beck was lost.

Yeas 37; Nays 46.

Yeas:

Mr. Speaker	Fine	Malone	Pruitt
Agee	Gafford	Manley	Sessions
Bowers	Gloor	McCorquodale	Slate
Burgess	Grainger	McLain	Smith
Cherner	Higginbotham	Meeks	Springer
Collier	Hill	Merrill	Watkins
Collins (W)	Holladay	Paulk	Wright
Crane	Laxson	Pearson	Yeilding
Crawford	Lemley	Pennington	Young
Dill			—37

Nays:

Messrs.:	Dobbs	Headley	Money
Bank	Downing	Hobbie	Owen (Baldwin)
Bassett	Edington	Jackson (F)	Owens (W.E.)
Beck	Ellis	Jones	Perloff
Berryman (R)	Foshee	Kilgore	Robertson
Berryman (W)	Garrett	Lybrand	Starnes
Blanton	Graham	Lyons	Stubbs
Bolton	Grayson	Marr	Tuck
Brannan	Hain	McDonald	Weeks
Brassell	Hardin	McElhaney	Williams
Brown	Harris	Meade	Wood
Collins (C)	Haygood	Melton	—46

And the amendment by Messrs. Meade and Beck to the bill, H. 621, was adopted.

Yeas 66; Nays 13.

Yeas:

Mr. Speaker	Downing	Holladay	Owen (Baldwin)
Bassett	Edington	Jackson (F)	Owens (W.E.)
Beck	Ellis	Jones	Paulk
Berryman (R)	Fine	Kilgore	Pennington
Berryman (W)	Foshee	Laxson	Perloff
Blanton	Garrett	Lybrand	Robertson
Bolton	Graham	Malone	Sessions
Brannan	Grainger	Marr	Slate
Brassell	Grayson	McDonald	Smith
Brown	Hain	McElhaney	Stubbs
Burgess	Hardin	McLain	Tuck
Collier	Harris	Meade	Watkins
Collins (C)	Haygood	Melton	Weeks
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Crane	Hill	Nettles	Wright
Dobbs	Hobbie		—66

Nays:

Messrs.:	Cook (Jefferson)	Lemley	Pruitt
Bank	Crawford	Manley	Springer
Bowers	Dill	Meeks	Yeilding
Cherner	Gafford		—13

Mr. Owens (W) offered the following amendment to the bill, H. 621:

Amend H. B. 621 by adding at the end of Section 2, III E the following:

"(55) CIVIL AIR PATROL.

For the fiscal year ending September 30, 1970:		
For salaries	4,400.00	
For other expenses	11,600.00	
For equipment purchases	9,000.00	
Total		25,000.00
For the fiscal year ending September 30, 1971:		
For salaries	4,400.00	
For other expenses	16,100.00	
For equipment purchases	4,500.00	
Total		25,000.00"

MOTION TO TABLE LOST

The motion of Mr. Mathews to table the motion of Mr. Owens (W) to the bill, H. 621, was lost.

Yeas 36; Nays 42.

Yeas:

Messrs.:	Edington	Laxson	Pearson
Bassett	Gafford	Lemley	Pruitt
Berryman (W)	Grainger	Lybrand	Slate
Blanton	Grayson	Malone	Smith
Brassell	Hain	Manley	Springer
Collier	Hardin	McElhaney	Stembridge
Collins (W)	Harris	McLain	Waggoner
Crane	Haygood	Meeks	Wright
Crawford	Hill	Merrill	Young
Dill			—36

Nays:

Mr. Speaker	Dobbs	Lyons	Perloff
Beck	Downing	Marr	Robertson
Berryman (R)	Ellis	McDonald	Sessions
Bolton	Fine	Meade	Snell
Brannan	Foshee	Melton	Starnes
Brown	Garrett	Money	Stubbs
Burgess	Gloor	Nettles	Tuck
Cherner	Hobbie	Owens (W.E.)	Weeks
Collins (C)	Holladay	Paulk	Williams
Cook (Jefferson)	Jackson (F)	Pennington	Yeilding
Culver	Jones		—42

And the amendment of Mr. Owens (W) to the bill, H. 621, was adopted.

Yeas 64; Nays 14.

Yeas:

Mr. Speaker	Bowers	Collins (W)	Edington
Agee	Brannan	Cook (Coffee)	Ellis
Beck	Brassell	Cook (Jefferson)	Foshee
Berryman (R)	Brown	Crane	Garrett
Berryman (W)	Burgess	Culver	Gloor
Blanton	Cherner	Dobbs	Graham
Bolton	Collins (C)	Downing	Grainger

Grayson	Mays	Owens (W)	Starnes
Harris	McCorquodale	Owens (W.E.)	Stubbs
Hobbie	McDonald	Paulk	Tuck
Jackson (F)	Meade	Pennington	Waggoner
Jones	Melton	Perloff	Watkins
Laxson	Merrill	Robertson	Weeks
Lybrand	Money	Sessions	Williams
Lyons	Nettles	Smith	Wood
Marr	Owen (Baldwin)	Snell	Wright

—64

Nays:

Messrs.:	Haygood	Manley	Slate
Crawford	Hill	McElhaney	Springer
Dill	Lemley	Meeks	Stembridge
Gafford	Malone	Pruitt	

—14

MOTION IN WRITING

Mr. Pennington offered the following Motion in Writing:

"Having voted with the prevailing side, I now move that the vote by which Senate Bill 185 passed this House be reconsidered."

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 57. Mourning the death of Honorable William P. Bloom, prominent businessman and civic leader of Tuscaloosa.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Merrill, the House recessed until 2 o'clock P. M.

HOUSE RECONVENES

The hour of 2 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

H. 621 RESUMED

Mr. Brannan offered the following amendment to the bill, H. 621:

Amend H. B. 621 by striking therefrom the whole of Section 2, III F (12) (f), and insert in lieu thereof the following:

"(f) Seafoods Division:

For the fiscal year ending September 30, 1970:	
For Salaries	230,000.00
For other expenses	105,000.00
For equipment purchases	22,700.00
For automotive equipment purchases	2,300.00

For transfer to Conservation Department-Administrative Account	49,198.00	
For Gulf State Marine Fisheries Commission	5,000.00	
For entertainment of the Gulf State Fisheries Convention	1,200.00	
Total		415,398.00

For the fiscal year ending September 30, 1971:		
For salaries	241,000.00	
For other expenses	110,000.00	
For equipment Purchases	15,000.00	
For automotive equipment purchases	10,000.00	
For transfer to Conservation Department-Administrative Account	49,198.00	
For Gulf State Marine Fisheries Commission	5,000.00	
Total		430,198.00

In addition to the monies hereinabove appropriated, all monies derived from contracts, grants, or other agreements concerning or relating to marine biological research performed or accomplished at the Seafood Division Laboratory at Daphne Island is hereby appropriated to the Division of Seafoods and may be expended by the Director of Conservation on such Seafood Division Program or projects which he deems appropriate.

The funds hereinabove appropriated to the Seafood Division shall be paid out of the Seafood Fund."

And the amendment of Mr. Brannan was adopted.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Pearson
Adwell	Dill	Jones	Perloff
Agee	Dobbs	Kilgore	Pruitt
Bank	Downing	Laxson	Robertson
Bassett	Ellis	Lemley	Sessions
Beck	Fine	Lyons	Shumate
Berryman (W)	Foshee	Malone	Slate
Blanton	Gafford	Marr	Smith
Bolton	Gloor	Mays	Springer
Bowers	Graham	McCorquodale	Starnes
Brannan	Grainger	McElhaney	Stembridge
Brassell	Grayson	McLain	Stubbs
Brown	Hain	Meade	Tuck
Cameron	Hardin	Melton	Turnham
Cherner	Harper	Merrill	Waggoner
Collier	Harris	Money	Weeks
Collins (C)	Haygood	Nettles	Williams
Collins (W)	Headley	Owen (Baldwin)	Wood
Cook (Coffee)	Higginbotham	Owens (W)	Wright
Cook (Jefferson)	Hobbie	Owens (W.E.)	Yeilding
Crane	House	Paulk	Young

—84

Nays: Messrs. Hill and Meeks —2

Messrs. Garrett and Mays offered the following amendment to the bill, H. 621:

Amend H. B. 621, Section 2, III, C. (1) to read as follows:

"HOSPITAL AND CORRECTIONAL FUNCTIONS:

(1) BOARD OF CORRECTIONS:

For transfer to Board of Corrections:
For the fiscal year ending September 30, 1970 ..... $5,230,000.00
For the fiscal year ending September 30, 1971 ..... 5,250,000.00

Amend Section 2, III, F. (14) to read as follows:

BOARD OF CORRECTIONS:

For the fiscal year ending September 30, 1970:		
For the salary of the Commissioner	15,000.00	
For other salaries	3,797,000.00	
For other expenses	3,110,000.00	
For equipment purchases	80,000.00	
For automotive equipment purchases	70,000.00	
For Debt Service, estimated	63,306.00	
For transfer to the State Personnel Department	9,780.00	
For transfer to the Attorney General's Department	12,400.00	
Total		7,157,486.00
For the fiscal year ending September 30, 1971:		
For the salary of the Commissioner	15,000.00	
For other salaries	3,878,000.00	
For other expenses	3,110,000.00	
For equipment purchases	30,000.00	
For automotive equipment purchases	70,000.00	
For transfer to the State Personnel Department	10,150.00	
For transfer to the Attorney General's Department	12,400.00	
For Debt Service, estimated	61,272.00	
Total		7,186,822.00

AMENDMENT TABLED

On motion of Mr. Mathews, the amendment of Messrs. Garrett and Mays was tabled.

Yeas 40; Nays 39.

Yeas:

Mr. Speaker	Doss	Manley	Pruitt
Agee	Edington	Marr	Sessions
Bank	Gafford	Mathews	Shumate
Bassett	Grainger	McDonald	Slate
Beck	Hain	McElhaney	Smith
Berryman (W)	Headley	McLain	Springer
Brassell	Hill	Meeks	Tuck
Cook (Coffee)	Holladay	Merrill	Weeks
Cook (Jefferson)	Kilgore	Pearson	Williams
Dill	Lemley	Perloff	Wright

—40

Nays:

Messrs.:	Crawford	Haygood	Owen (Baldwin)
Blanton	Culver	Hobbie	Owens (W)
Bowers	Dobbs	Jackson (F)	Owens (W.E.)
Brannan	Ellis	Jones	Paulk
Brown	Foshee	Lyons	Robertson
Cameron	Garrett	Malone	Stubbs
Cherner	Gloor	Mays	Watkins
Collier	Graham	Melton	Wood
Collins (C)	Grayson	Money	Yeilding
Crane	Harris	Nettles	Young

—39

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of eduction of such counties."

Also:

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Also:

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Also:

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

Also:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

Also:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

Also:

H. 692. Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Also:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

Also:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

McDOWELL LEE,
Secretary.

H. 621 RESUMED

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend H. B. 621 by striking therefrom in III A (17) (h) the figures $15,000,000.00 and inserting in lieu thereof the figures $12,000,000;

Further amend said bill by striking therefrom in the same section the figures $20,000,000.00 and inserting in lieu thereof the figures $17,000,000.00.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Owens (W.E.)
Bassett	Ellis	Kilgore	Paulk
Beck	Fine	Laxson	Pearson
Berryman (R)	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lybrand	Pruitt
Blanton	Garrett	Lyons	Robertson
Bolton	Gloor	Malone	Sessions
Bowers	Graham	Manley	Shumate
Brannan	Grainger	Mathews	Slate
Brassell	Grayson	Mays	Smith
Brown	Hain	McCorquodale	Springer
Cameron	Hardin	McDonald	Starnes
Cherner	Harper	McElhaney	Stembridge
Collier	Harris	McLain	Stubbs
Collins (C)	Haygood	Meade	Tuck
Cook (Coffee)	Headley	Meeks	Waggoner
Cook (Jefferson)	Higginbotham	Melton	Watkins
Crane	Hill	Merrill	Weeks
Crawford	Hobbie	Money	Williams
Culver	Holladay	Nettles	Wood
Dobbs	House	Owen (Baldwin)	Wright
Downing	Jackson (F)	Owens (W)	

—87

And the bill, H. 621, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Kilgore	Owens (W.E.)
Agee	Downing	Laxson	Paulk
Bank	Edington	Lemley	Pearson
Bassett	Ellis	Lybrand	Pennington
Beck	Fine	Lyons	Perloff
Berryman (R)	Foshee	Malone	Pruitt
Berryman (W)	Gafford	Manley	Sessions
Blanton	Graham	Marr	Shumate
Bolton	Grainger	Mathews	Slate
Bowers	Grayson	Mays	Smith
Brannan	Hain	McCorquodale	Springer
Brassell	Hardin	McDonald	Starnes
Brown	Harper	McElhaney	Stembridge
Cameron	Harris	McLain	Stubbs
Cherner	Haygood	Meade	Tuck
Collier	Headley	Meeks	Waggoner
Collins (C)	Higginbotham	Melton	Weeks
Cook (Coffee)	Hill	Merrill	Williams
Cook (Jefferson)	Hobbie	Money	Wood
Crane	House	Nettles	Wright
Crawford	Jackson (F)	Owen (Baldwin)	Yeilding
Culver	Jones	Owens (W)	Young
Dill			—89

And the bill:

H. 622 (with amendment). To make appropriations from the State Treasury for Capital improvements.

Was taken up.

Mr. Mathews offered the following amendment to the bill, H. 622:

Amend H. B. 622 by adding at the end of Section 6 thereof the following:

"Section 7. DEPARTMENT OF CORRECTIONS AND INSTITUTIONS:

For the fiscal year ending September 30, 1970:

For Draper Prison:		
For remodeling kitchen	$ 52,300.00	
For construction of Guard Towers	10,000.00	
For reroofing prison	5,500.00	
For repairs to electric system	3,000.00	
For installation of baths	29,200.00	
Total		100,000.00

For the fiscal year ending September 30, 1971:

(a) For Atmore Prison:		
For construction of a hay barn	$ 1,800.00	
for construction of a warehouse	6,500.00	
For construction of an equipment shed	4,400.00	

	For painting and repairs	10,000.00	
	For repairs to Employees houses	52,800.00	
	Total		75,500.00
(b)	For Draper Prison:		
	For construction of a warehouse	3,200.00	
	For construction of an ear corn barn	3,400.00	
	For a grist mill	2,900.00	
	For repairs to employees houses	10,000.00	
	Total		19,500.00
(c)	For Tutwiler Prison:		
	For reroofing prison	3,000.00	
	For repairs to heating system	2,000.00	
	Total		5,000.00

The above appropriations shall be paid from the funds in the State Treasury to the credit of the Department of Corrections and Institutions.

Further amend the bill by striking therefrom the words and figures Section 7. and insert in lieu thereof the following: "Section 8."

Further amend the bill by striking therefrom the words and figures Section 8. and insert in lieu thereof the following: "Section 9."

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dill	Kilgore	Owens (W.E.)
Adwell	Downing	Laxson	Paulk
Agee	Edington	Lemley	Pearson
Bank	Ellis	Lybrand	Pennington
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Malone	Pruitt
Berryman (R)	Gafford	Manley	Robertson
Berryman (W)	Garrett	Marr	Sessions
Bolton	Gloor	Mathews	Shumate
Bowers	Graham	Mays	Smith
Brannan	Grayson	McCorquodale	Springer
Brassell	Hain	McDonald	Starnes
Brown	Hardin	McElhaney	Stembridge
Cameron	Harper	McLain	Stubbs
Cherner	Harris	Meade	Tuck
Collier	Haygood	Meeks	Waggoner
Collins (C)	Headley	Melton	Weeks
Collins (W)	Higginbotham	Merrill	Williams
Cook (Coffee)	Hill	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crane	House	Owen (Baldwin)	Yeilding
Crawford	Jackson (F)	Owens (W)	Young
Culver	Jones		—90

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend House Bill 622 by adding at the end of Section 2 thereof the following:

"(d) For the construction of a cattle barn at the State Fair Grounds in Birmingham for the use of the Alabama Agricultural and Industrial Exhibit Commission 50,000.00

The above appropriation shall be paid from the State General Fund and is conditional upon the condition of the General Fund and with the approval of the Governor."

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Culver	Jackson (F)	Owens (W)
Adwell	Dill	Jones	Owens (W.E.)
Agee	Downing	Kilgore	Paulk
Bank	Edington	Laxson	Pearson
Bassett	Ellis	Lemley	Pennington
Beck	Fine	Lybrand	Perloff
Berryman (R)	Foshee	Lyons	Pruitt
Berryman (W)	Gafford	Malone	Robertson
Blanton	Garrett	Manley	Sessions
Bolton	Gloor	Marr	Shumate
Bowers	Graham	Mathews	Smith
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Brown	Hain	McDonald	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harper	McLain	Tuck
Collier	Harris	Meade	Waggoner
Collins (C)	Haygood	Meeks	Weeks
Collins (W)	Headley	Melton	Williams
Cook (Coffee)	Higginbotham	Merrill	Wood
Cook (Jefferson)	Hill	Money	Wright
Crane	Hobbie	Nettles	Yeilding
Crawford	House	Owen (Baldwin)	Young

—92

And the bill, H. 622, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Collier	Gloor	Kilgore
Adwell	Collins (C)	Graham	Laxson
Agee	Collins (W)	Grainger	Lemley
Bank	Cook (Coffee)	Grayson	Lybrand
Bassett	Cook (Jefferson)	Hain	Lyons
Beck	Crane	Hardin	Malone
Berryman (R)	Crawford	Harper	Manley
Berryman (W)	Culver	Harris	Marr
Blanton	Dill	Haygood	Mathews
Bolton	Downing	Headley	Mays
Bowers	Edington	Higginbotham	McCorquodale
Brannan	Ellis	Hill	McDonald
Brassell	Fine	Hobbie	McElhaney
Brown	Foshee	House	McLain
Cameron	Gafford	Jackson (F)	Meade
Cherner	Garrett	Jones	Meeks

Melton	Paulk	Shumate	Waggoner
Merrill	Pearson	Smith	Weeks
Money	Pennington	Springer	Williams
Nettles	Perloff	Starnes	Wood
Owen (Baldwin)	Pruitt	Stembridge	Wright
Owens (W)	Robertson	Stubbs	Yeilding
Owens (W.E.)	Sessions	Tuck	Young

—92

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 395. To regulate the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000 according to the latest federal census; and repeal conflicting laws.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

And the bill:

H. 281 (with amendment). To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the State Treasury.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Section 2 of H. B. 281 is hereby amended to read as follows:

"Section 2. Levy to Tax. In addition to all other taxes of every kind now imposed by law, and in addition to any marked-up price authorized or required by law, there is hereby levied and shall be collected a tax at the rate of five percent (5%) upon the selling price of all spirituous or vinous liquors sold by the Board. The tax hereby imposed shall be collected by the Board from the purchaser at the time the purchase price is paid."

And the amendment was adopted.

Yeas 91; Nays 2.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Doss	Laxson	Pearson
Agee	Downing	Lemley	Pennington
Bank	Edington	Lybrand	Perloff
Bassett	Ellis	Lyons	Pruitt
Beck	Fine	Malone	Sessions
Berryman (R)	Foshee	Manley	Shumate
Berryman (W)	Gafford	Marr	Slate
Blanton	Garrett	Mathews	Smith
Bolton	Grainger	Mays	Snell
Bowers	Grayson	McCorquodale	Springer
Brannan	Hain	McDonald	Starnes
Brassell	Hardin	McElhaney	Stembridge
Cameron	Harper	McLain	Stubbs
Cherner	Harris	Meade	Tuck
Collier	Headley	Meeks	Waggoner
Collins (C)	Higginbotham	Melton	Weeks
Collins (W)	Hill	Merrill	Williams
Cook (Coffee)	Hobbie	Money	Wood
Cook (Jefferson)	Holladay	Nettles	Wright
Crane	House	Owen (Baldwin)	Yeilding
Crawford	Jackson (F)	Owens (W)	Young
Culver	Jones	Owens (W.E.)	—91

Nays: Messrs. Dill and Robertson —2

And the bill, H. 281, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 21.

Yeas:

Mr. Speaker	Dobbs	Laxson	Owens (W.E.)
Agee	Doss	Lemley	Paulk
Bank	Edington	Lybrand	Pearson
Bassett	Fine	Malone	Pennington
Beck	Foshee	Manley	Pruitt
Berryman (R)	Garrett	Mathews	Shumate
Berryman (W)	Grainger	Mays	Slate
Blanton	Grayson	McCorquodale	Snell
Bolton	Hain	McDonald	Springer
Brannan	Harper	McElhaney	Stembridge
Brassell	Harris	McLain	Stubbs
Cameron	Headley	Meade	Tuck
Collier	Higginbotham	Melton	Weeks
Collins (C)	Hill	Merrill	Williams
Collins (W)	Hobbie	Money	Wright
Cook (Coffee)	Holladay	Owen (Baldwin)	Yeilding
Cook (Jefferson)	House	Owens (W)	Young
Culver	Jackson (F)		—70

Nays:

Messrs.:	Dill	Lyons	Robertson
Adwell	Downing	Marr	Smith
Bowers	Ellis	Meeks	Starnes
Brown	Gafford	Nettles	Waggoner
Cherner	Gloor	Perloff	Wood
Crane	Kilgore		—21

And the bill:

H. 282 (with amendment). To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

Was taken up.

The question was on the adoption of the amendment reported by the standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 1. (a) of H. B. 282 by deleting the last paragraph of said Section and substituting therefore the following:

"On each package of cigarettes containing twenty cigarettes or less, two cents; on each package of cigarettes containing more than twenty but not exceeding forty cigarettes, four cents; and on each package of cigarettes containing more than forty cigarettes, six cents."

On motion of Mr. Fite, the Ways and Means Committee amendment was tabled.

Yeas 75; Nays 11.

Yeas:

Messrs.:	Dill	Jones	Owens (W.E.)
Bassett	Dobbs	Kilgore	Paulk
Beck	Downing	Lemley	Pearson
Berryman (R)	Edington	Lybrand	Pennington
Berryman (W)	Ellis	Malone	Pruitt
Blanton	Fine	Manley	Sessions
Bowers	Foshee	Marr	Shumate
Brannan	Gafford	Mathews	Smith
Brassell	Graham	Mays	Snell
Cameron	Grainger	McCorquodale	Springer
Cherner	Grayson	McDonald	Starnes
Collier	Hardin	McLain	Stembridge
Collins (C)	Harper	Meade	Stubbs
Collins (W)	Headley	Meeks	Tuck
Cook (Coffee)	Higginbotham	Melton	Waggoner
Cook (Jefferson)	Hill	Merrill	Weeks
Crane	Holladay	Nettles	Williams
Crawford	House	Owen (Baldwin)	Wright
Culver	Jackson (F)	Owens (W)	Young

—75

Nays:

Messrs.:	Hain	McElhaney	Robertson
Bolton	Hobbie	Money	Wood
Garrett	Lyons	Perloff	Yeilding

—11

And the bill, H. 282, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 34.

Yeas:

Mr. Speaker	Berryman (R)	Brassell	Collins (W)
Agee	Berryman (W)	Cameron	Cook (Coffee)
Bassett	Blanton	Collier	Cook (Jefferson)
Beck	Brannan	Collins (C)	Culver

Dobbs	Hill	McElhaney	Pruitt
Doss	Holladay	McLain	Shumate
Downing	House	Meade	Slate
Edington	Laxson	Meeks	Snell
Fine	Lemley	Melton	Springer
Garrett	Lybrand	Merrill	Stubbs
Graham	Malone	Owens (W)	Watkins
Grainger	Manley	Owens (W.E.)	Williams
Hain	Mathews	Paulk	Wright
Hardin	Mays	Pearson	Yeilding
Harris	McCorquodale	Pennington	Young
Headley			—61

Nays:

Messrs.:	Ellis	Jones	Sessions
Adwell	Foshee	Kilgore	Smith
Bolton	Gafford	Lyons	Starnes
Bowers	Gloor	Marr	Stembridge
Brown	Grayson	McDonald	Tuck
Cherner	Harper	Money	Waggoner
Crane	Higginbotham	Nettles	Weeks
Crawford	Hobbie	Perloff	Wood
Dill	Jackson (F)	Robertson	—34

And the bill:

H. 283 (with amendment). To raise revenue by levying a privilege or excise tax, in addition to all taxes and licenses now imposed by law, on every person licensed under the provisions of Title 29 of the Code of Alabama (1940), as amended, who sells, stores, or receives for the purpose of distribution, malt or brewed beverages; to provide for the collection and distribution of the proceeds of said tax.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend Section 2 of H. B. 283 by deleting the last sentence of said section and inserting in lieu thereof the following sentence:

"The tax levied hereby shall be measured by and graduated in accordance with the volume of sales by such person of malt or brewed beverages, and shall be an amount equal to one cent (.01¢) for each twelve fluid ounces or fractional part thereof."

On motion of Mr. Fite, the Ways and Means Committee amendment was tabled.

Yeas 58; Nays 24.

Yeas:

Messrs.:	Collins (C)	Grainger	Lybrand
Agee	Collins (W)	Harper	Malone
Beck	Cook (Coffee)	Headley	Manley
Berryman (R)	Crawford	Hill	Mathews
Berryman (W)	Culver	Holladay	Mays
Blanton	Dobbs	House	McCorquodale
Brannan	Doss	Jackson (F)	McDonald
Brassell	Edington	Jones	McLain
Cameron	Fine	Laxson	Meade
Collier	Garrett	Lemley	Meeks

Melton	Pearson	Snell	Waggoner	
Merrill	Pruitt	Springer	Watkins	
Owens (W)	Shumate	Stembridge	Williams	
Owens (W.E.)	Slate	Stubbs	Young	
Paulk	Smith	Turnham		—58

Nays:

Messrs.:	Downing	Hobbie	Pennington	
Adwell	Ellis	Lyons	Perloff	
Bassett	Grayson	Marr	Robertson	
Bolton	Hain	McElhaney	Starnes	
Bowers	Hardin	Money	Weeks	
Cook (Jefferson)	Higginbotham	Nettles	Wood	
Dill				—24

And the bill was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 37.

Yeas:

Mr. Speaker	Dobbs	Lemley	Owens (W.E.)	
Agee	Doss	Lybrand	Paulk	
Beck	Fine	Malone	Pearson	
Berryman (R)	Garrett	Manley	Pruitt	
Berryman (W)	Grainger	Mathews	Sessions	
Blanton	Hain	Mays	Shumate	
Brannan	Harper	McCorquodale	Slate	
Brassell	Harris	McDonald	Snell	
Cameron	Headley	McElhaney	Springer	
Collier	Hill	Meade	Stubbs	
Collins (C)	Holladay	Melton	Williams	
Collins (W)	House	Merrill	Wright	
Cook (Coffee)	Jones	Owens (W)	Young	
Culver	Laxson			—54

Nays:

Messrs.:	Dill	Jackson (F)	Robertson	
Adwell	Downing	Lyons	Smith	
Bassett	Ellis	Marr	Starnes	
Bolton	Foshee	Meeks	Stembridge	
Bowers	Gafford	Money	Tuck	
Brown	Gloor	Nettles	Waggoner	
Cherner	Grayson	Owen (Baldwin)	Weeks	
Cook (Jefferson)	Hardin	Pennington	Wood	
Crane	Higginbotham	Perloff	Yeilding	
Crawford	Hobbie			—37

UNANIMOUS CONSENT GRANTED

At the request of Mr. Edington, unanimous consent was granted that the Journal show had he been in the House chambers he would have voted Yea on the bill, H. 283.

And the bill:

S. 303. To amend Act No. 403, Section 2, Acts of Alabama 1967, Vol. II, Page 1016, which provides for the sale of bonds in the amount of $5,000,000 for the purpose of constructing and equipping a four year college or branch of Auburn University.

Was taken up.

Mr. Springer offered the following substitute to the bill, S. 303:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 403 adopted at the 1967 Regular Session of the Legislature of Alabama relating to the establishment in the City of Montgomery of a college or branch of Auburn University and the issuance of bonds therefor by Alabama Public School and College Authority so as to provide that the said college or branch may be located in either or both the said city and in its police jurisdiction, and that the net proceeds from the sale of the bonds authorized in the said Act No. 403 may be used for the acquisition as well as the construction and equipment of physical facilities, so as to eliminate from the said act the provisions permitting the use of a portion of the proceeds from the said bonds for support and maintenance of the said college or branch, so as to clarify the provisions of the said act which have the effect of incorporating therein by reference Act No. 243 adopted at the First Special Session of 1965 of the Legislature, and so as to make the said incorporation by reference applicable to the said Act No. 243 as amended by an act adopted at the 1969 Regular Session of the Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 403 adopted at the 1967 Regular Session of the Legislature shall be and hereby is amended so that the said Section 1 shall read as follows:

Section 1. The Alabama Public School and College Authority created and established under the provisions of Act No. 243, H. 29, approved May 4, 1965 (Acts, First Special Session 1965, p. 331) is hereby authorized to issue and sell its bonds in the principal amount of $5,000,000 in addition to all other bonds heretofore issued or heretofore authorized to be issued by said Authority. All bonds sold under authority of this Act shall be issued, secured by, and the principal and interest amortized and paid in the same manner and from the same funds as prescribed in said Act No. 243, as amended by an act adopted at the 1969 Regular Session of the Legislature, with respect to bonds issued by the said Authority. For the purpose of providing funds to enable the Authority to pay at their respective maturities the principal of and interest on any bonds issued by it under the provisions of this Act and to accomplish the objects of this Act, there is hereby irrevocably pledged to such purpose and appropriated such amount of money as may be necessary for that purpose out of the residue of the receipts from the excise taxes referred to in Section 11 of the said Act No. 243 and required by law to be paid into the Alabama Special Educational Trust Fund remaining each year after providing for payment of the principal of and interest on all bonds that constitute a prior charge on the said residue.

Section 2. Section 2 of the said Act No. 403 shall be and hereby is amended so that the said Section 2 shall read as follows:

Section 2. The proceeds of all bonds issued and sold by the Authority under this act remaining after paying expenses of their issuance shall be deposited in the state treasury and shall be carried in the state treasury in a special or separate account. The net proceeds derived from the sale of the bonds shall be distributed to Auburn University to be used by the board of trustees thereof for the acquisition, construction and equipment of physical facilities for conducting a four year college or branch of the University in either or both the City of Montgomery and its police jurisdiction.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are hereby repealed to the extent of such conflict.

Section 5. This Act shall become effective immediately upon its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Paulk
Bank	Downing	Lemley	Pearson
Bassett	Edington	Lybrand	Perloff
Beck	Ellis	Lyons	Pruitt
Berryman (R)	Fine	Malone	Robertson
Berryman (W)	Foshee	Manley	Sessions
Blanton	Gafford	Marr	Shumate
Bowers	Graham	Mathews	Slate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Brown	Hardin	McDonald	Starnes
Cameron	Harper	McElhaney	Stembridge
Cherner	Harris	McLain	Stubbs
Collier	Haygood	Meade	Tuck
Collins (C)	Headley	Meeks	Turnham
Collins (W)	Hill	Melton	Waggoner
Cook (Coffee)	Hobbie	Merrill	Weeks
Cook (Jefferson)	Holladay	Money	Williams
Crane	House	Nettles	Wood
Crawford	Jackson (F)	Owen (Baldwin)	Wright
Culver	Jones	Owens (W)	Yeilding
Dill	Kilgore	Owens (W.E.)	Young

—88

And the bill, S. 303, as thus amended, was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crane	Hill	McDonald
Bank	Culver	Hobbie	McElhaney
Bassett	Dill	Holladay	McLain
Beck	Dobbs	House	Meade
Berryman (R)	Downing	Jackson (F)	Meeks
Berryman (W)	Edington	Jones	Melton
Blanton	Fine	Kilgore	Merrill
Bowers	Foshee	Laxson	Money
Brannan	Gafford	Lemley	Nettles
Brassell	Graham	Lybrand	Owen (Baldwin)
Brown	Grainger	Lyons	Owens (W)
Cameron	Grayson	Malone	Owens (W.E.)
Cherner	Hardin	Manley	Paulk
Collier	Harper	Marr	Pearson
Collins (W)	Harris	Mathews	Perloff
Cook (Coffee)	Haygood	Mays	Pruitt
Cook (Jefferson)	Headley	McCorquodale	Robertson

Sessions	Starnes	Turnham	Wood
Shumate	Stembridge	Waggoner	Wright
Slate	Stubbs	Weeks	Yeilding
Smith	Tuck	Williams	Young
Snell			

—85

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Also:

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Also:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Also:

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

Also:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

Also:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

Also:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 843. To repeal Act No. 245, H. 163, page 361, 1965 1st Special Session, Volume 1, approved May 5, 1965, which relates to taxation, providing exemptions from the State Sales Tax Law and the State Use Tax Law for fabricated steel sections for any tunnel for highway vehicular traffic.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Paulk
Adwell	Edington	Laxson	Pearson
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lybrand	Pruitt
Bassett	Foshee	Lyons	Robertson
Beck	Gafford	Malone	Sessions
Berryman (R)	Garrett	Manley	Shumate
Berryman (W)	Gloor	Marr	Slate
Blanton	Graham	Mathews	Snell
Bolton	Grainger	Mays	Springer
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McDonald	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harper	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Haygood	Meeks	Waggoner
Collins (W)	Headley	Melton	Watkins
Cook (Coffee)	Higginbotham	Merrill	Weeks
Cook (Jefferson)	Hill	Money	Williams
Crane	Hobbie	Nettles	Wood
Crawford	House	Owen (Baldwin)	Wright
Culver	Jackson (F)	Owens (W)	Yeilding
Dill	Jones	Owens (W.E.)	Young
Dobbs			

—93

And the bill:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assist-

ant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Ellis	Lemley	Perloff
Bank	Fine	Lyons	Pruitt
Bassett	Foshee	Malone	Robertson
Beck	Gafford	Manley	Sessions
Berryman (R)	Garrett	Marr	Shumate
Blanton	Graham	Mathews	Slate
Bolton	Grainger	Mays	Snell
Bowers	Grayson	McCorquodale	Springer
Brannan	Hain	McElhaney	Starnes
Brassell	Hardin	McLain	Stembridge
Cameron	Harper	Meade	Stubbs
Cherner	Harris	Meeks	Tuck
Collier	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hill	Money	Weeks
Cook (Jefferson)	Hobbie	Nettles	Williams
Crane	Holladay	Owen (Baldwin)	Wood
Crawford	House	Owens (W)	Wright
Culver	Jackson (F)	Owens (W.E.)	Young
Dill	Jones		

—86

And the bill:

H. 396. Relating to the compensation of the State Superintendent of Education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 58; Nays 8.

Yeas:

Mr. Speaker	Collier	Harper	Lemley
Agee	Collins (W)	Harris	Lyons
Bank	Cook (Coffee)	Headley	Malone
Bassett	Crane	Higginbotham	Manley
Beck	Crawford	Hill	Mathews
Berryman (R)	Downing	Hobbie	Mays
Blanton	Garrett	House	McLain
Brannan	Graham	Jackson (F)	Meade
Brassell	Grainger	Jones	Melton
Cameron	Hardin	Laxson	Merrill

Money	Paulk	Shumate	Stembridge	
Nettles	Pearson	Smith	Stubbs	
Owen (Baldwin)	Pennington	Snell	Weeks	
Owens (W)	Pruitt	Springer	Yeilding	
Owens (W.E.)	Sessions			—58

Nays:

Messrs.:	Dill	Kilgore	Meeks	
Bowers	Gafford	Marr	Tuck	
Cherner				—8

RESOLUTION

The following resolution was introduced:

By Messrs. Turnham, Tuck and Higginbotham:

H. J. R. 62. WHEREAS it has been learned with profound sorrow of the untimely death of Mrs. Douglas L. Folsom, state superintendent of education of the State of Arizona and nationally recognized educator; and

WHEREAS Mrs. Folsom, the former Sarah Blanton, native of Notasulga was graduated in 1936 from Judson College which institution awarded her an honorary doctoral degree in 1966. She received her master's degree from Auburn University and prior to leaving this state, taught in several Alabama cities; and

WHEREAS Mrs. Folsom was nationally renowned for her outstanding talents and administrative ability in the field of education. She had served six terms as county superintendent of education for Yavapair County, Arizona and was serving her second term as state superintendent of education at the time of her death; and

WHEREAS Mrs. Folsom is survived by her husband and two sons, Douglas L. Folsom III, a student at the University of Alabama Medical College, and James B. Folsom of Prescott, Arizona; her parents, Mr. and Mrs. E. E. Blanton of Opelika, Alabama; three sisters, Miss Bessie Lee Blanton of Atlanta, Georgia and Mrs. James C. Folsom and Mrs. Walter C. Folsom, both of Tuscaloosa, Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply regret the passing of Mrs. Folsom and extend our heartfelt sympathy to the surviving members of her family, to whom copies of this resolution shall be sent.

On motion of Mr. Turnham, the rules were suspended and H. J. R. 62 was adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 40. To regulate the compensation and allowances of members of the board of education of Covington County and provide for the payment thereof.

Also:

H. 75. To provide for the compensation of jurors in Geneva County.

Also:

H. 76. Relating to Geneva County; regulating and providing for the payment of compensation of election officers.

Also:

H. 77. To amend Act No. 207, H. 575, approved August 13, 1957, which authorizes and requires the court of county commissioners, board of revenue or other like governing body of Geneva County to provide clerk-hire allowances for the clerk of the circuit court, the tax assessor, the tax collector, and sheriff of Geneva County, so as to increase the amount of such allowances.

Also:

H. 202. Relating to all counties having a population of not less than 100,000 nor more than 115,000 according to the most recent federal decennial census; fixing the compensation of election officers in said counties.

Also:

H. 243. To amend further Section 7 of Act No. 13, H. 5, First Special Session 1955 (Acts 1955, p. 37), an act relating to the reorganiaztion of the government of Cullman County, so as to provide further for the office of the resident county engineer.

Also:

H. 208. To provide for the selection of textbooks and instructional materials for use in the public schools of Bibb County.

Also:

H. 245. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payment, distribution and use of the proceeds, so as to provide further for the use of the proceeds of such taxes.

Also:

H. 249. Relating to Dallas County; to authorize the county governing body of such county to contribute county funds towards the construction of a Y. M. C. A. building.

Also:

H. 250. To amend Section 1 of an act approved February 20, 1931, enlarging the powers of the court of county revenues of Dallas County (Act No. 51, S. 12, Local Acts of Alabama 1931, p. 15) so as to change the meeting date of regular sessions of the court from the first Monday of each month to the second Monday.

Also:

H. 363. Relating to Dale County; providing further for the compensation of superintendent of education; repealing conflicting laws.

Also:

H. 589. Relating to counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census; to grant an allowance for clerical help to the circuit clerks in such counties.

Also:

H. 504. To amend Act No. 119, H. 24, of the Special Session of 1967 (Acts of 1967, p. 166) which relates to the government of Lawrence County and, among other things, establishes the court of county commissioners of Lawrence County and provides for the organization, powers, jurisdiction and duties of such court and for the qualifications, election and compensation of the members thereof, amending Section 2 of such act in order to provide for the nomination and the election of members of such court of county commissioners by the county at large.

Also:

H. 505. To amend Act No. 272, H. 688, Regular Session 1949 (Acts 1949, p. 399) which fixes the compensation of the coroner of Lawrence County; to provide further for the compensation of such coroner.

Also:

H. 506. Relating to Lawrence County; to authorize the coroner of such county to appoint an assistant coroner.

Also:

H. 610. Relating to counties having population of not less than 25,400 nor more than 25,600, according to the most recent federal decennial census; providing for the County Board of Education to set the annual salary of the Superintendent of the County Board of Education.

Also:

H. 651. To regulate the compensation of county superintendents of education in counties having populations of not less than 22,500 nor more than 24,550.

Also:

H. 507. Relating to the office of sheriff in counties having population of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for an allowance for uniforms for the sheriff, his deputies and other employees of the sheriff's department in all such counties; authorizing the sheriff in all such counties to appoint two additional deputies sheriff; and providing for the compensation of such additional deputies.

Also:

H. 508. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury.

Also:

H. 41. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 158. To allow the Sheriff of St. Clair County, Alabama, two (2) additional Deputies Sheriff to that now provided by law; to fix the salary of said Deputies and to make the same payable out of the general fund of St. Clair County, in monthly installments.

Also:

H. 159. To amend Act No. 124, H. 154, First Special Session 1964, an act relating to St. Clair County and fixing the compensation of the chief deputy and other deputies of the sheriff of said county.

Also:

H. 160. Relating to St. Clair County; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 161. To alter, rearrange and extend the boundaries and corporate limits of the Town of Riverside, St. Clair County, Alabama so as to annex certain territory to the town.

Also:

H. 219. Relating to all counties having populations of not less than 11,000 nor more than 13,000, according to the most recent federal decennial census; to confer additional powers on the Circuit Clerk of Clay County.

Also:

H. 223. To confer additional powers on the Circuit Clerk of Coosa County.

Also:

H. 224. To further regulate the sale of spirituous or vinous liquors and malt or brewed beverages in Coosa County.

Also:

H. 233. Relating to counties having populations of not less than 30,550 and not more than 31,000; providing for the appointment and terms of office of the directors of hospital associations organized in such counties.

Also:

H. 241. Relating to the compensation of election officials in Cullman County; repealing conflicting laws.

Also:

H. 242. To provide for the compensation of jurors in Cullman County.

Also:

H. 252. To apply only in counties having populations of not less than 96,000 nor more than 106,000, regulating the compensation and allowances of members of the county board of education.

Also:

H. 253. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Also:

H. 257. To amend further Section 3 of Act No. 149, H. 441, Acts 1951, p. 333 relating to Greene County, so as to make further provisions respecting the compensation of the chairman of the court of county commissioners.

Also:

H. 258. To alter, rearrange and extend the boundaries and corporate limits of the town of Gordo, Pickens County, Alabama, so as to annex certain territory to the town.

Also:

H. 259. Te relieve the court of county commissioners, board of revenue or other like governing body of Green County from responsibility of providing space and equipment to the county board of education and to provide in lieu thereof a cash payment.

Also:

H. 284. Providing for the compensation and meeting days of the jury commission in every county of this state having populations of not less than 20,500 nor more than 21,850, according to the most recent federal decennial census; and providing that this Act shall have retroactive effect.

Also:

H. 291. To amend Act No. 624, H. 1001, of the 1965 Regular Session (Acts of Alabama 1965, p. 1137), which applies only to certain counties classified on a population basis, and further regulates the filing for record of certain legal documents, makes unlawful the filing thereof unless certain endorsements are entered on such documents, provides that the falsification of such endorsements is a misdemeanor, and exempts judges of probate of the counties to which it applies from liability for errors in the performance of the duties imposed by the act if such errors are committed in good faith, so as to change the population span of the classification used in the act.

Also:

H. 305. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27, Township 16 North, Range 17 East, Montgomery County, Alabama.

Also:

H. 306. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 307. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 319. To apply only in counties having populations of not less than 25,800 nor more than 26,700; to provide for the appointment of the County Superintendent of Education; to prescribe his qualifications, duties and term of office; and to repeal all conflicting laws.

Also:

H. 323. Relating to the eighteenth Judicial Circuit; providing for separation of Jury by consent in the Circuit Courts of the counties composing such circuit.

Also:

H. 372. To authorize county boards of education in all counties having a population of not less than 33,000 nor more than 35,000 to appoint the superintendent of education for such counties.

Also:

H. 407. To provide a supplement payable by the counties for any judge of the 15th Judicial Circuit of Alabama who becomes supernumerary circuit judge.

Also:

H. 415. To alter, rearrange and establish commissioners districts in Pickens County.

Also:

H. 416. Relating to Pickens County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 417. Providing expense allowances for members of the governing bodies of counties having populations of not less than 16,500 nor more than 17,500, to provide that such expense allowances shall be paid from the gasoline tax fund of any such county.

Also:

H. 436. Relating to counties having populations of not less than 76,000 nor more than 96,000; fixing the fee for issuance of a pistol permit by the sheriff; and providing for the distribution and use of such fees.

Also:

H. 448. Relating to the office of the sheriff of Covington County; providing for the compensation of the chief deputy sheriff and for the appointment, number, duties and compensation of additional deputies; repealing conflicting laws and specifically repealing the following acts relating to the salary of the chief deputy sheriff and to the number and compensation of the additional deputies: Act No. 269, H. 615; Act No. 270, H. 616 and Act No. 382, H. 75 all of the Regular Session 1953 (Acts 1953, pp. 338; 339; 452); Act No. 46, H. 205 and Act No. 47, H. 206 both of the Regular Session 1957 (Acts 1957, p. 90).

Also:

H. 457. Relating to counties having populations of not less than 36,600 nor more than 37,600 according to the most recent federal decennial census; to provide further for expense allowances for the judge of the county court in all such counties.

Also:

H. 536. Relating to law enforcement in Conecuh County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund.

Also:

H. 549. Relating to the City of Troy in Pike County: To alter, rearrange and extend the boundary lines and corporate limits of the City of Troy, in the County of Pike and State of Alabama; providing for the repeal of all laws or parts of laws in conflict herewith; and prescribing the time when this Act shall become effective.

Also:

H. 608. To alter, rearrange and extend the boundary lines and corporate limits of the town of Clayton in Barbour County.

Also:

H. 611. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the Town of Blountsville in Blount County.

Also:

H. 624. Relating to Conecuh County; providing further for the compensation of the deputy sheriffs of said county.

Also:

H. 630. Relating to Greene County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 662. Relating to Pike County; to provide for election of County Commissioners by the qualified electors of the county at large.

Also:

H. 664. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Also:

H. 221. Relating to all counties having populations of not more than 10,800, according to the most recent federal decennial census; further regulating the salary of the county superintendent of education in each such county.

Also:

H. 222. To authorize the court of county commissioners or like governing body of Coosa County to levy a privilege or license tax on persons, firms and corporations, selling, distributing or delivering any malt or brewed beverages to retailers in Coosa County; to authorize said governing body of Coosa County to collect the tax, and to make rules and regulations to govern enforcement and collection of the tax; to provide for the rate of the tax and the use of the proceeds thereof.

Also:

H. 254. To apply only in counties having populations of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization.

Also:

H. 256. Relating to all counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; to authorize the governing body of each such county to pay the salaries of clerks for the tax assessor and the tax collector of the county.

Also:

H. 39. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts number 1 and 2, Covington County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Messrs. Brown, Culver, Bank, Robertson and Weeks:

H. J. R. 63. WHEREAS millions of Americans have died, and millions of others have been wounded and injured in the defense of freedom during the 193 year history of this nation and there are now more than three and one-half million widows and orphans of deceased veterans in the United States, and the number is increasing daily, and

WHEREAS there are now more than two and one-half million living disabled veterans who have suffered wounds and injuries during wartime service to their country, and the number is increasing daily, and

WHEREAS the organization of Disabled American Veterans which is chartered by the United States Congress is dedicated to the service of veterans and widows and orphans of those who have paid the ultimate price for freedom, and

WHEREAS said organization observes the week beginning May 24 as a time to reflect, to pray, and to pay respects to those who have given their lives in this nation's defense, and

WHEREAS the passing of time dims the memories of the great suffering and sacrifices endured by those who were wounded or died in the service of their nation in time of peril, and many Alabamians have served and died in our nation's wars, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we recognize the aforementioned sacrifices and services by setting aside the week of May 24 through 30 of each year as NATIONAL MEMORIAL WEEK and urge the Governor to proclaim its observance in Alabama from this time forth.

On motion of Mr. Brown, the rules were suspended and H. J. R. 63 was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 78. To provide for the regulation of surface mining and the reclamation and revegetation of lands affected by surface mining; to prescribe the powers and duties of the director of industrial relations in connection with surface mining; to prescribe certain duties of surface mine operators; to require and prescribe conditions for the issuance of permits; to provide for bonds and the conditions for forfeiture thereof; to prescribe penalties for violations and provide otherwise for the enforcement of this act; and to make an appropriation from the state treasury for the purposes of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owens (W)
Adwell	Dobbs	Jones	Owens (W.E.)
Agee	Downing	Kilgore	Paulk
Bank	Edington	Laxson	Pearson
Bassett	Ellis	Lemley	Perloff
Berryman (R)	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Lyons	Robertson
Blanton	Gafford	Malone	Sessions
Bolton	Garrett	Manley	Shumate
Bowers	Gloor	Marr	Smith
Brannan	Graham	Mathews	Snell
Brassell	Grainger	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Stubbs
Collier	Harris	McLain	Tuck
Collins (C)	Headley	Meeks	Waggoner
Collins (W)	Higginbotham	Melton	Weeks
Cook (Coffee)	Hill	Merrill	Williams
Cook (Jefferson)	Hobbie	Money	Wood
Crane	Holladay	Nettles	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver			—89

And the bill:

H. 289. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue

its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nay 1.

Yeas:

Mr. Speaker	Dill	Lemley	Paulk
Agee	Downing	Lybrand	Pearson
Bank	Edington	Lyons	Perloff
Bassett	Fine	Manley	Pruitt
Beck	Foshee	Marr	Robertson
Berryman (R)	Garrett	Mathews	Sessions
Berryman (W)	Graham	Mays	Smith
Blanton	Grainger	McCorquodale	Snell
Bowers	Grayson	McDonald	Springer
Brannan	Hain	McElhaney	Starnes
Brassell	Hardin	McLain	Stembridge
Brown	Harris	Meade	Stubbs
Cameron	Headley	Meeks	Tuck
Collier	Higginbotham	Melton	Waggoner
Collins (C)	Hill	Merrill	Watkins
Collins (W)	Holladay	Money	Weeks
Cook (Coffee)	House	Nettles	Williams
Cook (Jefferson)	Jackson (F)	Owen (Baldwin)	Wood
Crane	Jones	Owens (W)	Wright
Crawford	Laxson	Owens (W.E.)	Yeilding
Culver			—81

Nay: Mr. Hobbie —1

INFORMAL RECESS

The House went into informal recess to hear address by former Governor George C. Wallace.

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until Tuesday, July 8, 1969, at 1 o'clock P. M., was lost.

Yeas 39; Nays 40.

Yeas:

Mr. Speaker	Crane	Kilgore	Owens (W.E.)
Bassett	Dill	Malone	Paulk
Beck	Dobbs	Manley	Shumate
Berryman (R)	Doss	Marr	Slate
Blanton	Graham	Mathews	Springer
Bowers	Grayson	McCorquodale	Weeks
Brannan	Hain	McDonald	Williams
Cameron	Harris	Meade	Wood
Collins (C)	Haygood	Merrill	Yeilding
Collins (W)	Headley	Owen (Baldwin)	—39

Nays:

Messrs.:	Garrett	Jones	Money
Adwell	Gloor	Laxson	Nettles
Agee	Grainger	Lemley	Pruitt
Bolton	Hardin	Lybrand	Sessions
Cherner	Higginbotham	Lyons	Smith
Cook (Jefferson)	Hill	Mays	Snell
Culver	Hobbie	McElhaney	Starnes
Downing	Holladay	McLain	Stubbs
Edington	House	Meeks	Watkins
Foshee	Jackson (F)	Melton	Wright
Gafford			—40

MOTION IN WRITING ADOPTED

The Motion in Writing, previously offered by Mr. Pennington to reconsider the vote on S. 185, was adopted, and the Senate was requested to return the bill to the House.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Edington	Lemley	Pennington
Bank	Ellis	Lybrand	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (R)	Garrett	Manley	Sessions
Berryman (W)	Grainger	Marr	Shumate
Blanton	Grayson	Mathews	Slate
Bolton	Hain	Mays	Smith
Brannan	Hardin	McCorquodale	Snell
Brassell	Harris	McDonald	Springer
Cameron	Headley	McElhaney	Starnes
Collier	Hill	McLain	Stembridge
Collins (C)	Hobbie	Meade	Weeks
Collins (W)	Holladay	Meeks	Williams
Cook (Jefferson)	House	Melton	Wood
Crawford	Jackson (F)	Merrill	Wright
Culver	Jones	Nettles	Yeilding
Dobbs	Kilgore	Owens (W.E.)	Young
			—76

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for the return of the Bill, S. B. 185, and returns same herewith to the House.

McDOWELL LEE,
Secretary.

And the bill:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Was taken up for reconsideration.

Mr. Holladay offered the following substitute to the bill, S. 185:

A BILL
TO BE ENTITLED
AN ACT

To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the

State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases used in this act, and others evidently intended as the equivalent thereof, shall, in the absence of clear implication herein otherwise, be given the following respective interpretations herein:

"Authority" means the public corporation organized pursuant to the provisions of this act.

"Board" means the board of directors of the Authority.

"Bonds" means the bonds issued under the provisions of this act.

"County" means a county in the state.

"Director" means a member of the board of directors of the Authority.

"Municipality" means an incorporated city or town of the state.

"Person," unless limited to a natural person by the context in which it is used, includes a public or private corporation organized under the laws of Alabama or of another state, a municipality, a county, or an agency, department or instrumentality of a county or municipality, of one or more of the several states, or of the United States.

"Property" means and includes real and personal property, and interests therein.

"State" in the absence of clear implication herein otherwise, means the State of Alabama.

"Waterway" means a navigable waterway, utilizing the channel of the Coosa River, between Montgomery and Gadsden and to the Alabama-Georgia boundary, as authorized by the River and Harbor Act of March 2, 1945, Public Law 14, 79th Congress, 1st Session (1945).

"Herein," "hereby," "Hereunder," "Hereof," and other equivalent words refer to this act as an entirety and not solely to the particular section or portion thereof in which any such word is used.

The definitions set forth herein shall be deemed applicable whether the words defined are used in the singular or plural. Whenever used herein any pronoun or pronouns shall be deemed to include both singular and plural and to cover all genders.

"Section 2. Legislative Intent. The legislature hereby makes the findings of facts and declaration of intent hereinafter set forth in this section. The construction of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary, utilizing the channel of the Coosa River, would provide a new transportation route of great importance and would stimulate the development of commerce, agriculture, and industry in many sections of the state. It is the intention of the legislature by the passage of this act to implement the provisions of the amendment of the Constitution of Alabama proposed by Act No. ____ enacted at the same session of the legislature at which this act was enacted. In order to further the developments herein found to be beneficial, it is the intention of the legislature to authorize the formation of a public corporation for the following purposes: to cooperate with the United State, the State of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instru-

mentalities of such political entities, and with private individuals, corporations, associations, and other persons in furthering the development of the waterway project; to undertake all obligations and perform all actions that shall be necessary to fulfill the requirements of local contribution, participation and cooperation now, or hereafter, established by the United States in connection with the waterway project; to cooperate generally with the United States, the State of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, in promoting projects in the basin of the Coosa River for navigation, water conservation and supply, flood control, industrial development, public recreation and related purposes. It is further the intention of the legislature to authorize the issuance of general obligation bonds of the state herein provided for and to empower the said public corporation to supervise the sale of the said bonds and to expend the proceeds of the said bonds in discharging the duties and obligations which the said public corporation is authorized by this act to undertake. Nothing herein is intended to authorize such public corporation to engage in or finance, directly or indirectly, the production, transmission, distribution, or sale of electric power or to acquire by purchase, license, lease, condemnation or otherwise a hydrolectric project, or any part thereof, now or hereafter licensed by the Federal Power Commission under the Federal Power Act of June 10, 1920, Public Law No. 280, 66th Congress, 2nd Session, and amendments thereto. This act shall be liberally construed in conformity with its purpose."

Section 3. Authorization to Form Public Corporation. The Governor, the Lieutenant-Governor, the Speaker of the House of Representatives of the State Legislature, the Director of Finance, the Highway Director, the Director of the State Docks Department and the President of the Coosa-Alabama River Improvement Association may become a public corporation, with the powers hereinafter provided, by proceeding according to the provisions of Section 4 of this act.

Section 4. Manner of Incorporation. To become a corporation, the Governor, the Lieutenant-Governor, the Speaker of the House of Representatives, the Director of Finance, the Highway Director, the Director of the State Docks Department and the President of the Coosa-Alabama River Improvement Association shall present to the Secretary of State of Alabama an application signed by each of them which shall set forth (a) the name, official designation and official residence of each of the applicants; (b) the name of the proposed corporation, which shall be Coosa Valley Development Authority; (c) the location of the principal office of the proposed corporation; and (d) any other matter relating to the proposed corporation which the applicants may choose to insert and which is not inconsistent with this act or the laws of the State of Alabama. The application shall be subscribed and sworn to by each of the applicants before an officer authorized by the laws of the State of Alabama to take acknowledgments to deeds. The Secretary of State shall examine the application and, if he finds that it substantially complies with the requirements of this section, he shall receive and file it and record it in an appropriate book of records in his office.

Section 5. Certificate of Incorporation. When the application has been made, filed and recorded, as herein provided, the applicants shall constitute a public corporation under the name submitted in the application, and the Secretary of State shall make and issue to the applicants a certificate of incorporation under the Great Seal of the state and shall record the certificate with the application. There shall be no fees paid to the Secretary of State for any service rendered or work performed in connection with the Authority thus formed, its incorporation, dissolution or records.

Section 6. Members, Officers and Directors of the Authority. The applicants named in the application and their respective successors in office shall constitute the members of the Authority. The Governor shall be the president of the Authority, the Lieutenant-Governor shall be its vice president, and the Director of Finance shall be its secretary. The State Treasurer shall be the treasurer of the Authority and shall act as custodian of its funds, but he shall not be a member of the Authority. The members of the Authority shall constitute all the members of the board of directors of the Authority, and any four membrs of the board of directors shall constitute a quorum for the transaction of business. Should any person holding any state office named in this section, or the President of the Coosa-Alabama River Association, cease to hold office by reason of death, resignation of his term of office, or for any other reason, then his successor in office shall take his place as a member and officer of the Authority. Except as hereinafter provided, no member, officer or director of the Authority shall receive any compensation in addition to that now authorized by law for any service they may render or for any duty they may perform in connection with the Authority; provided, that the Lieutenant-Governor and the Speaker of the House of Representatives shall receive for each day devoted to the business of the Authority the same per diem compensation and allowance that would be paid to them for attending legislative sessions, but this special compensation and allowance shall not be allowed on days when the Lieutenant-Governor and the Speaker of the House of Representatives are paid the per diem compensation and allowance for attending legislative sessions.

The herein provided for special compensation and allowance of the Lieutenant-Governor and the Speaker of the House of Representatives shall be paid out of the moneys appropriated for the expenses of the legislature in the same manner that the per diem compensation and allowance of the legislators serving on interim committees are paid. All proceedings had and done by the board of directors shall be reduced to writing by the secretary of the Authority and recorded in a substantially bound book, which shall be kept in the office of the Secretary of State. Copies of such proceedings, when certified by the secretary of the Authority, under the seal of the Authority, shall be received in all courts as prima facie evidence of the matters and things therein certified.

Section 7. Duties and Obligations Which May Be Undertaken by the Authority. The Authority may undertake and discharge the duties and obligations set forth in this section as follows:

In connection with the waterway, the Authority may do or cause to be done the following: (i) construct, maintain and operate all highway bridges necessitated by the waterway and construct and maintain all highway relocations and alterations necessitated by the waterway, (ii) construct and maintain all alterations in sewer, water supply and drainage facilities necessitated by the waterway; (iii) assume any increased cost necessitated by the waterway in connection with maintaining and operating utility crossings. It is the intention of the legislature to make the scope of foregoing duties and obligations which may be undertaken by the Authority commensurate with the corresponding requirements of local contribution and participation established by the River and Harbor Act of March 2, 1945, Public Law 14, 79th Congress, 1st Session (1945).

Section 8. Powers of the Authority. The Authority shall have the following powers: (a) to have succession by its corporate name without time limit; (b) to sue and be sued and to prosecute and defend, at law or in equity, in any court having jurisdiction of the subject matter and of the parties; (c) to have and to use a corporate seal and to alter the same at pleasure; (d) to receive, take and hold by sale, gift, lease, devise or otherwise real and personal property of every kind and description,

and to manage the same; (e) to acquire by purchase, gift, or the exercise of the power of eminent domain, or any other lawful means, and to convey or cause to be conveyed to the United States, the State of Alabama, any county or municipality in the state, or to any agency, department, or instrumentality of such political entities, or to any public corporation, any real, personal or mixed property necessary or convenient to the Authority in the performance of its duties and obligations in connection with the waterway project; (f) to exercise the right of eminent domain as freely and completely as, and in the same manner that, the State of Alabama is empowered to exercise such right; (g) to enter into contracts with the United States, the State of Alabama, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, and with private individuals, firms, corporations, and other persons for any purpose related to the Authority's duties and obligations in connection with the waterway project; (h) to supervise the sale of general obligation bonds of the state subject to the provisions of Section 12 of this act and to expend the proceeds of the said bonds in discharging its duties and obligations in connection with the waterway project; (i) to appoint and employ such attorneys and agents as the business of the Authority may require; provided, that the Authority shall not employ fiscal agents in connection with the sale of bonds; (j) to appoint and employ an administrator and supporting staff with such duties and powers, for such terms, and at such salaries as the board of directors shall deem advisable; to delegate, subject to the provisions of Section 10 hereof, the performance of the Authority's duties and obligations to the Highway Department, the State Docks Department, and any other public corporations, agencies and departments of the state, in such part, to such extent, and on such terms as the board of directors shall deem advisable and to turn over to such other public corporations, agencies and departments of the state any and all funds of the Authority necessary to enable such other public corporations, agencies and departments to perform the duties and obligations of the Authority delegated to them.

Section 9. Contracts of the Authority. The aggregate monetary obligation that the Authority may incur in connection with its contracts shall not at any time exceed the sum of (a) any uncommitted or unencumbered moneys then appropriated to the Authority by the legislature and (b) any uncommitted or unencumbered proceeds of bonds available or to become available from bonds then authorized by the Authority and approved by the Governor pursuant to Section 12 hereof. No contract involving the expenditure of money, whether now or later, shall be approved or ratified by the board of directors unless the resolution approving or ratifying the same shall include a determination that there will be compliance with the preceding limitation when the amount of the obligation of the contract in question has been added to the already existing obligations of the Authority. This determination by the board of directors shall be conclusive of the question of compliance. All contracts of the Authority for the construction, reconstruction, relocation, maintenance and operation of highways, roads, and bridges, and work incidental or related thereto, and the acquisition of property necessary therefor, shall be in writing, shall be subject to the rules and regulations and shall be let under the supervision of the Highway Department and shall be subject to approval by the Governor and by the Highway Department. All work provided for in any such contract shall be supervised by the Highway Department. All persons engaging in the supervision or performance of any work involving highways, roads and bridges that may be done by the Authority without the award of a contract therefor shall be employees of the Highway Department. All contracts of the Authority for the construction, reconstruction or relocation of any facilities or structures and all purchases of equipment by the Authority shall be made on the basis of competitive bidding in the manner and according to the procedures provided in Act No. 492 adopted

at the 1947 Regular Session of the Legislature, as amended, Act No. 343 adopted at the 1957 Regular Session of the Legislature, as amended, and any other applicable statutes.

Section 10. Duties of Other Public Corporations, Agencies and Departments of the State. Any duties and obligations of the Authority which shall be delegated by the board of directors of the Authority to the Highway Department, the State Docks Department, or any other public corporation, agency or department of the state shall be undertaken and discharged by the public corporation, agency or department to which such duties and obligations shall have been delegated; provided, that such a delegation shall not be effective and shall not release the Authority from the duties and obligations proposed to be delegated nor impose any duties or obligations on the public corporations, agencies and departments to which a delegation shall have been made unless the Governor and the director, head or governing body of the public corporation, agency or department to which a delegation shall have been made shall approve such delegation in all respects; and provided, further, that the public corporation, agency, or department shall at the time of such delegation be empowered by laws other than this act to perform duties and discharge obligations of the kind delegated and that this section shall not be construed to change the lawfully established nature and functions of public corporations, agencies and departments of the state.

Section 11. Authority of the State Docks Department. In connection with the navigational use of the waterway, the State Docks Department is hereby authorized to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army of the United States and the Chief of Engineers of the United States Army.

Section 12. Authorization of Bonds: Details Respecting the Bonds. There are hereby authorized to be issued bonds of the state in aggregate principal amount not exceeding $10,000,000. The bonds hereby authorized shall be general obligations of the state, and the full faith and credit of the state are hereby irrevocably pledged for the prompt and faithful payment of the principal of and the interest on the bonds.

The bonds may be sold from time to time as the board of directors may deem advantageous; provided, that no bonds (other than refunding bonds) may be sold or issued unless the Governor shall have first determined that the issuance of the bonds proposed to be issued will be necessary to enable the Authority to fulfill the requirements of local contribution, participation and cooperation established by the United States in connection with the waterway project. Except as hereinafter limited, the bonds may be executed and delivered at any time and from time to time, may be in such forms, denominations, series and numbers, may be of such tenor and maturities, may bear such date or dates, may be in registered or bearer form either as to principal or interest, or both, may be payable in such installments and at such time or times, may be payable at such place or places within or without the state, may bear interest at such rate or rates payable and evidenced in such manner, may contain provisions for redemption at the option of the Authority at such date or dates prior to their maturity and upon payment of such redemption price or prices, and may contain such other provisions not inconsistent with the provisions of this act, all as shall be provided by the board of directors in the resolution or resolutions whereunder the bonds are issued. The principal of each series of the bonds shall mature in annual installments in such amounts as shall be specified in the resolution or resolutions of the board of directors under which they are issued, the first of which installments shall mature not later than one year after the date of the bonds of such series and the last of which installments

shall mature not later than twenty years after the date of the bonds of the same series. Any redemption price required to be paid in order to effect any redemption of bonds prior to maturity shall not exceed the face value of each bond redeemed plus accrued interest thereon to the date fixed for redemption and a premium equal to one year's interest on such bond. Each series of bonds having an installment of principal maturing more than ten years after the date thereof shall be made subject to redemption prior to maturity, at the option of the state, at the end of the tenth year following their date and semiannually thereafter, as a whole or in part in the inverse order of the numbers of the bonds of that series. When each series of the bonds is issued, the maturities of the bonds of that series shall, to such extent as may be practicable, be so arranged that during each then succeeding fiscal year of the state the aggregate installments of principal and interest that will mature on all bonds that will be outstanding hereunder, immediately following the issuance of the bonds of that series, will be substantially equal; provided, that the determination by the Authority that the requirements of this sentence have been complied with shall be conclusive of such compliance and the purchasers of any of the bonds and all subsequent holders thereof shall be fully protected by such determination.

None of the bonds shall be sold for less than their face value plus accrued interest thereon to the date of their delivery, and all of the bonds shall be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the state computed to the respective maturities of the bonds sold; provided, that, if no bid deemed acceptable by the commission is received, all bids may be rejected. Notice of each bond sale shall be given by the Authority by publication in either a financial journal or a financial newspaper published in New York, New York, and also by publication in a newspaper published in the State of Alabama, each of which notices must be published at least one time not less than ten days prior to the date fixed for the sale. The Authority shall cause such other publicity to be given of each bond sale as it may deem advisable, and it shall fix the terms and conditions under which each sale of bonds may be held; provided, that such terms and conditions shall not conflict with any of the requirements of this act. The Authority is authorized to provide terms and conditions under which any of the bonds may be exchanged for like bonds of other denominations and may be converted from bearer bonds into registered bonds, either as to principal or interest or both as the Authority may prescribe, and again converted into bearer bonds. Subject to the provisions of this act, the Authority may from time to time sell and issue refunding bonds for the purpose of refunding any matured or unmatured bonds of the Authority then outstanding.

The bonds shall not be valid unless the Governor shall approve the terms and conditions under which the bonds were authorized to be issued by the board of directors of the Authority. Such approval shall be entered on the minutes of the meeting of the board of directors at which the bonds are authorized, and shall be signed by the Governor. Such approval by the Governor may be shown on any such bonds by a facsimile of his signature printed or otherwise reproduced thereon when authorization thereof is contained in the said approval signed by him.

The bonds shall be executed in the name of the state by the Governor, and the Great Seal of the state, or a facsimile thereof, shall be affixed, printed or otherwise reproduced thereon and attested by the Secretary of State. A facsimile of the signature of either, but not of both, of said officials may be printed or otherwise reproduced on any of the bonds in lieu of being manually inscribed thereon. The coupons evidencing any installments of interest on the bonds shall be executed with a facsimile of the signature of the State Treasurer printed or other-

wise reproduced thereon. Each such facsimile of a signature shall be valid in all respects as if the officials the facsimiles of whose signatures are so used had signed the bonds in person. Any facsimile of the Great Seal of the State so used shall be valid in all respects as if the Great Seal of the state had been manually affixed to the bonds. In the event any official who shall sign the bonds or the facsimile of whose signature shall appear thereon shall thereafter cease to hold office before they are delivered and paid for, the bonds and the coupons applicable thereto shall nevertheless be valid for all purposes to the same extent as if the official who signed the bonds or the facsimile of whose signature appears thereon had remained in office until all of the bonds bearing such signature or facsimile thereof shall have been delivered and paid for.

The bonds and the income therefrom shall be exempt from all taxation in the state.

Section 13. Proceeds of Bonds. The Authority shall pay out of the proceeds from the sale of any of the bonds all expenses which the board of directors may deem necessary or advantageous in connection with the sale and issuance of the bonds. The proceeds from the sale of all bonds, other than refunding bonds, remaining after paying the expenses of their sale and issuance shall be turned into the State Treasury, shall be carried in a special fund to be designated the Coosa Valley Development Authority Fund, and shall be subject to be drawn on by the Authority, upon approval by the Governor, but solely for the purpose of discharging the duties and obligations undertaken by the Authority in connection with the waterway project. The proceeds from the sale of any refunding bonds remaining after the expense of their issuance shall be used only for the purpose of refunding the principal of outstanding bonds issued hereunder and of paying any premium that may be necessary to be paid in order to redeem or retire the bonds to be refunded.

Any portion of the proceeds derived from the sale of any of the bonds which the board of directors of the Authority may determine is not then needed for any of the purposes for which the bonds are authorized to be issued shall, on order of the Authority, be invested by the State Treasurer in any securities that are direct general obligations of the United States or the principal of and interest on which are unconditionally and irrevocably guaranteed by the United States. Any such securities may, at any time and from time to time, on order of the Authority, be sold or otherwise converted by the State Treasurer into cash. The income derived from any such investments shall be added to and treated as a part of the Coosa Valley Development Authority Fund.

Section 14. State Treasurer Authorized to Pay Principal and Interest of Bonds; Records. Out of any funds in the State Treasury that may be available for such purpose, the State Treasurer is authorized and directed to pay the principal of and interest on the bonds at the respective maturities of the said principal and interest, and he is further authorized and directed to set up and maintain appropriate records pertaining thereto.

Section 15. Dissolution of the Authority. At any time when no duties or obligations of the Authority shall remain to be discharged, or when all duties and obligations remaining to be discharged shall have been effectively delegated to public corporations, agencies and departments of the state in accordance with Section 10 thereof, the Authority may be dissolved upon the filing with the Secretary of State of an application for dissolution, which shall be subscribed by each of the members of the Authority, and which shall be sworn to by each such member before an officer authorized to take acknowledgments to deeds. Upon the filing of said application for dissolution, the Authority shall cease and any property owned by it at the time of its dissolution shall

pass to the state. The Secretary of State shall file and record the application for dissolution, in an appropriate book of record in his office, and shall make and issue, under the Great Seal of the state, a certificate that the Authority is dissolved, and shall record the said certificate with the application of dissolution.

Section 16. Severability Clause. In the event any section, sentence, clause or provision of this act shall be declared invalid by any court or competent jurisdiction, such action shall not affect the validity of the remaining sections, sentences, clauses or provisions of this act, which shall continue effective.

Section 17. Effective Date. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama proposed by Act No. ____ enacted at the same session of the legislature at which this act was enacted.

And the substitute was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Perloff
Agee	Fine	Lybrand	Pruitt
Bassett	Foshee	Lyons	Robertson
Beck	Graham	Malone	Sessions
Berryman (R)	Grainger	Manley	Shumate
Berryman (W)	Grayson	Marr	Slate
Blanton	Hain	Mathews	Smith
Bolton	Hardin	Mays	Snell
Brannan	Harris	McDonald	Springer
Brassell	Haygood	McLain	Starnes
Cameron	Headley	Meade	Stembridge
Collier	Higginbotham	Meeks	Stubbs
Collins (C)	Hill	Melton	Waggoner
Collins (W)	Hobbie	Merrill	Weeks
Cook (Jefferson)	Holladay	Money	Williams
Crawford	House	Nettles	Wood
Culver	Jackson (F)	Owen (Baldwin)	Wright
Dobbs	Jones	Owens (W.E.)	Yeilding
Downing	Kilgore	Pearson	Young
Edington	Laxson	Pennington	

—79

Mr. Holladay offered the following amendment to the substitute previously adopted to the bill, S. 185:

The substitute for Senate Bill 185 is hereby amended by striking Section 2 thereof and in lieu thereof substituting the following:

"Section 2. Legislative Intent. The legislature hereby makes the findings of facts and declaration of intent hereinafter set forth in this section. The construction of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary, utilizing the channel of the Coosa River, would provide a new transportation route of great importance and would stimulate the development of commerce, agriculture, and industry in many sections of the state. It is the intention of the legislature by the passage of this act to implement the provisions of the amendment of the Constitution of Alabama proposed by Act No. ____ enacted at the same session of the legislature at which this act was enacted. In order to further the developments herein found to be beneficial, it is the intention of the legislature to authorize the formation of a public corporation for the following purposes: to cooperate

with the United States, the State of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, and with private individuals, corporations, associations, and other persons in furthering the development of the waterway project; to undertake all obligations and perform all actions that shall be necessary to fulfill the requirements of local contribution, participation and cooperation now, or hereafter, established by the United States in connection with the waterway project; to cooperate generally with the United States, the State of Alabama, other participating states, counties, and municipalities, with all agencies, departments and instrumentalities of such political entities, in promoting projects in the basin of the Coosa River for navigation, water conservation and supply, flood control, irrigation, industrial development, public recreation and related purposes. It is further the intention of the legislature to authorize the issuance of general obligation bonds of the state herein provided for and to empower the said public corporation to supervise the sale of the said bonds and to expend the proceeds of the said bonds in discharging the duties and obligations which the said public corporation is authorized by this act to undertake. Nothing herein is intended to authorize such public corporation to engage in or finance, directly or indirectly, the production, transmission, distribution, or sale of electric power or to acquire by purchase, license, lease, condemnation or otherwise a hydroelectric project, or any part thereof, now or hereafter licensed by the Federal Power Commission under the Federal Power Act of June 10, 1920, Public Law No. 280, 66th Congress, 2nd Session, and amendments thereto. Likewise nothing herein is intended to authorize such public corporation to engage in or finance, directly or indirectly, the organization or operation of any irrigation district or similar irrigation authority. This act shall be liberally construed in conformity with its purpose."

And the amendment to the substitute was adopted.

Yeas 79; Nays 2.

Yeas:

Mr. Speaker	Ellis	Lyons	Perloff
Agee	Fine	Malone	Pruitt
Bassett	Foshee	Manley	Robertson
Beck	Garrett	Marr	Sessions
Berryman (R)	Graham	Mathews	Shumate
Berryman (W)	Grainger	Mays	Slate
Blanton	Grayson	McCorquodale	Smith
Bolton	Hain	McDonald	Snell
Brannan	Hardin	McElhaney	Springer
Brassell	Harris	McLain	Starnes
Cameron	Haygood	Meade	Stembridge
Collier	Headley	Meeks	Stubbs
Collins (C)	Higginbotham	Melton	Waggoner
Collins (W)	Hill	Merrill	Weeks
Cook (Jefferson)	Hobbie	Money	Williams
Crawford	Holladay	Nettles	Wood
Culver	House	Owen (Baldwin)	Wright
Dobbs	Jones	Owens (W.E.)	Yeilding
Downing	Laxson	Pearson	Young
Edington	Lybrand	Pennington	—79

Nays: Messrs. Gloor and Lemley —2

And the bill, S. 185, as thus amended, was again read a third time at length and passed.

Yeas 80; Nays 4.

Yeas:

Mr. Speaker	Ellis	Lyons	Perloff
Agee	Fine	Malone	Pruitt
Bassett	Foshee	Manley	Robertson
Beck	Garrett	Marr	Sessions
Berryman (R)	Graham	Mathews	Shumate
Berryman (W)	Grainger	Mays	Slate
Blanton	Grayson	McCorquodale	Smith
Bolton	Hain	McDonald	Snell
Brannan	Hardin	McElhaney	Springer
Brassell	Harris	McLain	Starnes
Burgess	Haygood	Meade	Stembridge
Cameron	Headley	Melton	Stubbs
Collier	Higginbotham	Merrill	Waggoner
Collins (C)	Hill	Money	Watkins
Collins (W)	Hobbie	Nettles	Weeks
Cook (Jefferson)	Holladay	Owen (Baldwin)	Williams
Culver	House	Owens (W.E.)	Wood
Dobbs	Jones	Paulk	Wright
Downing	Laxson	Pearson	Yeilding
Edington	Lybrand	Pennington	Young

—80

Nays:

Messrs.:	Crawford	Gloor	Lemley
Cherner			

—4

RESOLUTION

The following resolution was introduced:

By Mr. Gafford:

H. J. R. 64. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, both Houses concurring, That no state funds shall be used to pay the premiums of any member of the Alabama State Legislature participating in the health insurance plan under the provisions of Act No. 833, S. 125, Regular Session 1965, as amended.

The motion of Mr. Gafford to suspend the rules and adopt H. J. R. 64 was lost.

Yeas 46; Nays 31.

Yeas:

Messrs.:	Dobbs	Jones	Robertson
Agee	Edington	Kilgore	Sessions
Bank	Ellis	Lyons	Slate
Bassett	Gafford	Mays	Smith
Berryman (R)	Garrett	McDonald	Springer
Bolton	Grainger	McLain	Stembridge
Bowers	Grayson	Meeks	Stubbs
Brannan	Hain	Melton	Waggoner
Burgess	Hardin	Money	Watkins
Cherner	Harris	Nettles	Weeks
Collier	Higginbotham	Paulk	Wright
Cook (Jefferson)	House	Pruitt	

—46

Nays:

Mr. Speaker	Downing	Jackson (F)	Owens (W.E.)
Beck	Fine	Laxson	Perloff
Berryman (W)	Foshee	Lemley	Shumate
Brassell	Gloor	Malone	Snell
Cameron	Graham	Marr	Starnes
Collins (W)	Headley	Mathews	Williams
Crawford	Hill	McCorquodale	Wood
Dill	Hobbie	Meade	—31

And the resolution, H. J. R. 64, was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Bank that the House adjourn until 1 o'clock Tuesday, July 8, 1969, was lost.

Yeas 44; Nays 46.

Yeas:

Mr. Speaker	Crawford	Holladay	Paulk
Bank	Dill	Malone	Pennington
Bassett	Doss	Marr	Perloff
Beck	Edington	Mathews	Shumate
Berryman (R)	Fine	Mays	Slate
Berryman (W)	Graham	McCorquodale	Starnes
Brannan	Grayson	McDonald	Stembridge
Brassell	Hair	Meade	Tuck
Collins (C)	Hardin	Merrill	Williams
Collins (W)	Haygood	Owen (Baldwin)	Wood
Crane	Headley	Owens (W.E.)	Yeilding

—44

Nays:

Messrs.:	Ellis	Kilgore	Pruitt
Adwell	Foshee	Laxson	Robertson
Agee	Gafford	Lemley	Sessions
Bolton	Garrett	Lyons	Smith
Bowers	Gloor	Manley	Snell
Burgess	Grainger	McElhaney	Springer
Cameron	Harris	McLain	Stubbs
Cherner	Higginbotham	Meeks	Waggoner
Cook (Jefferson)	Hill	Melton	Watkins
Culver	House	Money	Weeks
Dobbs	Jackson (F)	Nettles	Wright
Downing	Jones	Pearson	—46

H. 290 INDEFINITELY POSTPONED

On motion of Mr. Downing, H. 290 was indefinitely postponed.

MOTION TO BRING UP H. 332 LOST

The motion of Mr. Smith to suspend the rules and bring up H. 332 was lost.

Yeas 58; Nays 24.

Yeas:

Mr. Speaker	Crane	Hill	Owen (Baldwin)
Bassett	Culver	Hobbie	Owens (W)
Berryman (R)	Dill	Jackson (F)	Owens (W.E.)
Berryman (W)	Edington	Jones	Paulk
Blanton	Ellis	Laxson	Perloff
Bolton	Fine	Lemley	Robertson
Bowers	Foshee	Marr	Sessions
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Starnes
Brown	Hain	McElhaney	Stubbs
Burgess	Hardin	McLain	Waggoner
Cameron	Harris	Meade	Weeks
Collier	Haygood	Meeks	Wood
Collins (C)	Headley	Nettles	Wright
Collins (W)	Higginbotham		—58

Nays:

Messrs.:	Gafford	Manley	Pruitt
Agee	Garrett	McCorquodale	Shumate
Bank	Gloor	McDonald	Slate
Cherner	Graham	Melton	Snell
Cook (Jefferson)	Lybrand	Merrill	Watkins
Dobbs	Malone	Money	Yeilding
Downing			—24

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Fite:

H. 851. Relating to counties having populations of not less than 14,500 nor more than 14,900; to provide for the qualifications of the superintendent of education in any such county.

Local Legislation No. 1.

By Mr. Culver:

H. 852. To make further provisions relating to the issuance of motor vehicle license tags or plates.

Judiciary.

By Messrs. Robertson, Brown, Bank and Culver:

H. 853. Relating to counties having a population of not less than 100,000, nor more than 115,000; to exempt private lakes in such counties from laws and regulations applicable to public waters.

Local Legislation No. 1.

By Mr. Robertson (with notice and proof):

H. 854. To provide for the election of the board of education of the city of Tuscaloosa: to prescribe the number of meetings required and compensation therefor.

Local Legislation No. 1.

Notice and Proof H. 854:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the election of the board of education of the city of Tuscaloosa: to prescribe the number of meetings required and compensation therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. The five members of the board of education of the city of Tuscaloosa shall be elected by the qualified electors of the city of Tuscaloosa for terms of four years or until their successors are elected and qualified. Three members shall be elected at the next regular election to be held in 1970, in which state and county officers are elected, and the remaining two members shall be elected at the regular election for state and county officers to be held two years after the first members are elected. All candidates for the board of education of the city of Tuscaloosa must designate their political affiliation at the time of filing, and must meet all requirements of their respective parties necessary to qualify as candidates for the board.

Section 2. The members of the board of education of the city of Tuscaloosa shall elect a chairman from among themselves to serve for one year, beginning October 1, of each year. They shall meet twice in each calendar month and shall be compensated in the amount of $15.00 for each meeting attended.

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this act are repealed.

Section 5. This act shall become effective as to the members of the board of education of the city of Tuscaloosa at the expiration of the term or terms of office of the member or members whose terms first expire.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me June 19, 1969.

LULLENE DuBOSE.

By Messrs. Brown, Robertson and Bank:

H. 855. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

Judiciary.

By Mr. Blanton:

H. 856. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, Manley, McDonald, Cameron, Holladay, Collins (W), Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 857. To amend Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions for the distribution of the net proceeds from the license taxes and registration fees therein referred to.

Ways and Means.

By Messrs. McCorquodale, Pruitt, Fite, Merrill, McDonald, Cameron, Holladay, Collins (W), Manley, Hill, Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 858. To make further provision for the financing and construction of public bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding $25,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of fiduciary funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held

invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Ways and Means.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

Local Legislation No. 1.

Notice and Proof H. 859:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Section 1. The commission, council, or other like governing body of any municipality in Calhoun County is authorized to pay out of the general funds of the municipality, all necessary medical bills, doctor's bills, hospital bills, x-ray bills and drug bills, incurred by an employee of such municipality in the treatment of injuries received by such employee in the performance of his or her duty for the municipality. The governing body may, upon determination that said injuries were in fact received in line of duty may make an award to the municipal employee, or may authorize payment directly to physicians, hospitals, or medical facilities, upon submission of valid bills of services rendered to the employee.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me June 22, 1969.

LOLA J. BRIGHT,
Notary Public.

By Messrs. Meade and Beck:

H. 860. Relating to all counties having populations of not less than 16,150 nor more than 17,250 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Local Legislation No. 1.

By Messrs. Cook (Jefferson), Merrill, House, Pruitt, Manley, Holladay, McCorquodale, Cook (Coffee), Grainger, McDonald, Crane, Sessions, Yeilding, Gloor, Cherner, Money, Dill, Bowers, Meeks, Waggoner, Weeks, Kilgore, Ellis, Pennington, Gafford, McElhaney, Hain, Blanton, Graham, Stubbs, Laxson, Slate, Wright, Bank and Watkins:

H. 861. To amend Act No. 126 adopted at the Second Special Session of 1959 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued under the provisions of the said act.

State Administration.

By Messrs. Cook (Jefferson), Merrill, Pruitt, Manley, House, Berryman (W), Hill, Cook (Coffee), McCorquodale, Holladay, Grainger, McDonald, Crane, Sessions, Yeilding, Gloor, Cherner, Money, Dill, Bowers, Meeks, Waggoner, Weeks, Kilgore, Ellis, Pennington, Gafford, McElhaney, Hain, Blanton, Graham, Stubbs, Laxson, Slate, Wright, Bank and Watkins:

H. 862. To amend Act No. 243 adopted at the Special Session of 1965 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued by Alabama Public School and College Authority under the provisions of the said act.

State Administration.

By Mr. Culver:

H. 863. Relating to motor vehicle license tags or plates for members of the state legislature; authorizing the commissioner of revenue to issue specially stamped license tags or plates to members of the state legislature.

State Administration.

By Messrs. Manley, Pruitt, Tuck, Hain and Turnham:

H. 864. To amend Section 106 of Act No. 207, S. 134, Regular Session 1949 (Acts 1949 p. 242) by allowing women over eighteen to work in or about coal mines.

Judiciary.

By Messrs. Manley, Cherner, Cook (Jefferson), Sessions, Tuck, Pruitt, Hain and Turnham:

H. 865. To amend further Code of Alabama 1940, Title 30, Section 21, relating to persons on jury rolls.

Judiciary.

By Messrs. Manley, Cherner, Sessions, Tuck, Pruitt, Hain and Turnham:

H. 866. To amend Code of Alabama 1940, Title 26, Section 158, relating to persons working in coal mines.

Judiciary.

By Messrs. Manley, Cherner, Cook (Jefferson), Sessions, Tuck, Pruitt, Hain and Turnham:

H. 867. To amend Code of Alabama 1940, Title 26, Section 337, to make provisions thereof applicable to all employees.

Judiciary.

By Messrs. Manley and Pruitt (with notice and proof):

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 868:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

Section 1. The Tax Assessor and the Tax Collector of Perry County may each appoint a clerk to assist in the performance of the duties of his office. Each clerk so appointed shall be entitled to receive a salary not to exceed $2400.00 per annum. The allowance shall be paid from the general funds of the county in such manner as the governing body of the county may direct.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me June 19, 1969.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

By Messrs. Manley and Pruitt (with notice and proof):

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 869:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Circuit Court Clerk of Perry County may appoint a clerk to assist in the performance of the duties of the office of the Circuit Court Clerk. The clerk so appointed shall be entitled to receive a salary not to exceed $2400.00 per annum. The allowance shall be paid from the general funds of the county in such manner as the governing body of the county may direct.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me June 19, 1969.

ELIZABETH F. STEWART,
Notary Public, Perry Co., Ala.

By Mr. Collins (W):

H. 870. To provide for a refund of a portion of the state tax paid on gasoline which is used solely for the fixed and static testing of engines manufactured or remanufactured in the State of Alabama; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the Commissioner of Revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor.

Ways and Means.

By Mr. Williams (with notice and proof):

H. 871. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 871

STATE OF ALABAMA
JACKSON COUNTY

Pursuant to the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of Alabama for the passage and enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the city of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines of the City of Scottsboro, Jackson County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, so that the corporate limits of said City of Scottsboro shall hereafter be comprised of all the territory lying within the following described boundaries situated in Jackson County, Alabama, to-wit:

Begin at the Southwest corner of the Southeast quarter of the Southeast quarter of Section 27, Township 5 South, Range 5 East, thence run Northwest through Sections 27 and 22, Township 5 South, Range 5 East to the Northwest corner of said Section 22; thence run North along the West lines of Sections 15 and 10, Township 5 South, Range 5 East to the Northwest corner of said Section 10; Thence run East along the North lines of Sections 10 and 11, Township 5 South, Range 5 East to the Northeast corner of the Northwest quarter of the Northeast quarter of said Section 11; thence run in a Northerly direction and parallel to the East boundary of Section 2, Township 5 South, Range 5 East, crossing said Section and Sections 35 and 26, Township 4 South, Range 5 East to the Northwest corner of the Northeast quarter of the Northeast quarter of Section 26, Township 4 South, Range 5 East; thence North along the West boundary of the East half of the Southeast quarter of Section 23, Township 4 South, Range 5 East to the South right of way line of the Lee Highway; thence Northwest along the South right of way of the Lee Highway to the West boundary of the East half of said Section 23; thence run North along the West boundary of the East half of said Section 23 and to the South right of way line of the Old Larkinsville Road; thence run West along the South right of way of the Old Larkinsville Road one-fourth mile and to the West boundary of the Northeast quarter of the Northwest quarter of said Section 23; thence run North along the West boundary of said Northeast quarter of the Northwest quarter of said Section 23, and along the West boundary of the Southeast quarter of the

Southwest quarter of Section 14, Township 4 South, Range 5 East to the North boundary of the South half of the South half of Section 14, Township 4 South, Range 5 East; thence East along the North boundary of the South half of the South half of said Section 14 to the West boundary of the East half of the Southeast quarter of said Section 14; thence run North along the West boundary of the East half of the Southeast quarter of said Section 14 to the Northwest corner thereof; thence East to the center of Section 13, Township 4 South, Range 5 East; thence Southeast to the Southeast corner of said Section 13; thence run East with the North line of Sections 19 and 20, Township 4 South, Range 6 East and to the Northwest right of way line of the Southern Railroad at or near the Northeast corner of said Section 20; thence run Northeast along the Northwest right of way line of the Southern Railroad to the East boundary of the West half of the West half of Section 16, Township 4 South, Range 6 East; thence North to the Southeast corner of the Northwest quarter of the Northwest quarter of said Section 16; thence West to the West boundary of said Section 16; thence North to the Northwest corner of said Section 16; thence West to the Southwest corner of the Southeast quarter of the Southeast quarter of Section 8, Township 4 South, Range 6 East; thence North to the Northwest corner of said Southeast quarter of the Southeast quarter; thence East with the North boundary of the South half of the South half of Sections 8 and 9, Township 4 South, Range 6 East to the East boundary of the West half of said Section 9; thence run North to the center of said Section 9; thence run East to the Northeast corner of the West half of the Southeast quarter of said Section 9; thence South to the South boundary of said Section 9; thence West along the South boundary of said Section 9, 2279.6 feet to the west right of way line of McFoilton Lane; thence run South 17 degrees 11' West 497.2 feet and to the Southeast corner of Lot 10, Block 2A of the Patrick Investment Company Property according to a survey made by B. M. Ballard dated April, 1965; thence run South 72 degrees 49' East 298.7 feet; thence South 85 degrees East 568 feet and to the West right of way line of a County Road; thence run South 0 degrees 22' West along the West right of way line of said County Road 940.2 feet; thence run North 89 degrees 08' West 539.5 feet; thence run South 73 degrees 0' West 265.5 feet; thence run South 0 degrees 05' West 213.3 feet and to the North right of way line of McFoilton Lane; thence run along the North right of way line of McFoilton Lane North 73 degrees East 349.2 feet and South 89 degrees 08' East 613 feet and to the East right of way line of a County Road at or near the Southern Railroad right of way; thence run Southeast along the East right of way of said County Road to the Southeast right of way line of the Southern Railroad; thence run Southwest along the Southeast right of way line of the Southern Railroad to the South boundary of the North half of said Section 16; thence East to the middle of said Section 16; thence North along the West boundary of the East half of said Section 16, 575 feet; thence run East 675 feet; thence run North to the North right of way of a county road; which right of way is the South boundary of Estate No. 13 of the Rural Estates Subdivision as the same is shown by a map or plat thereof recorded in Town Plat Book "A" at page 198 in the office of the Probate Judge of Jackson County, Alabama; thence run East along the North right of way line of said County Road to a branch which is shown on said plat crossing said Estate No. 13; thence run in a Northeasterly direction along said branch as the same meanders to the Northeast boundary of said Estate No. 13; thence run Southeast along the Northeast boundary of said Estate No. 13 to the Northwest right of way line of the Lee Highway; thence run Northeast with the Lee Highway to the East boundary of the West half of the East half of said Section 16; thence run South to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 16; thence run East to the Southeast corner of said Section 16; thence run South with the East Section line of Sections 21 and 28 of Township 4 South, Range 6 East to the Southeast corner of said Section 28; thence

East with South Section line of Section 27, Township 4 South, Range 6 East to the Southeast corner of said Section 27; thence South with East line of Section 34, Township 4 South, Range 6 East and extending said line across McNary Reservation to the Northwest shore line of Guntersville Reservoir of the Tennessee River; thence Southwest with said shore line, passing Comer Bridge to Roseberry Creek Embayment and to where said shore line intersects the East Section line of Section 18, Township 5 South, Range 6 East; thence continue West and Northwest with the meanderings of said shore line to a point where said shore line intersects with the North section line of said Section 18; thence run West with said Section line to the Northwest corner of said Section 18; thence Southwest along a line which if extended would run to the Southwest corner of said Section 23 and run to the point where such line intersects the North line of the South half of said Section 23; thence Southwesterly along a line to the point where the Easterly shore line of a small island intersects the South line of the Southwest quarter of said Section 23; thence continue with the meanderings of the shore line of said island in Section 26, Township 5 South, Range 5 East and in the Riley Reservation to the point where said shore line intersects the West line of the Riley Reservation; thence run South along the West line of the Riley Reservation and to the point of intersection with the shore line of another small island, which island is located partly in the East half of Section 27, Township 5 South, Range 5 East, and partly in the Riley Reservation; thence continue with the meanderings of the shore line of said island in the Riley Reservation and in said Section 27 to the point where the Southernmost shore line of said island intersects the East line of said Section 27 and the West line of the Riley Reservation; thence run Southwesterly to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 27, this being the point of beginning.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

FRED J. BUCHHEIT.

Sworn to and subscribed before me June 23, 1969.

EVELYN TUBBS,
Notary Public.

My Commission expires 12 Nov., 1970.

By Messrs. Springer, Harris, Cameron, Hobbie, and McElhaney (with notice and proof):

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof

certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 872:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limites thereof certain additional territory in Section 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the intersection of the south line of Section 3, T15N, R18E, Montgomery County, Alabama, and the westerly line of Woodley Road; thence west along the south line of said Section 3 to the southeast corner of Section 4, T15N, R18E, Montgomery County, Alabama; thence west along the south line of said Section 4 to the ½ section line running north and south through the center of said Section 4; thence north along said ½ section line to the south line of Section 33, T16N, R18E, Montgomery County, Alabama; thence north along the ½ section line running north and south through the center of said Section 33 to the north west corner of the SE¼ of said Section 33: thence east along the north line of the said SE¼ of said Section 33 to the east line of Woodley Road; thence southeasterly along the east line of Woodley Road 5223.4 more or less; thence S 49 degrees-07'-W to a point on the westerly line of Woodley Road; thence southeasterly along the westerly side of Woodley Road to the point of beginning.

Section 2. That this Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald a Notary Public in and for said County in said State, personally appeared Guyton Parks, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is General Manager of the Advertiser Company, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper publish-

ed in the City and County of Montgomery and State of Alabama, on the following dates: May 22, 29 and June 5 and 12, 1969.

GUYTON PARKS.

Sworn to and subscribed before me this the 13th day of June, 1969.

KATHLEEN F. OSWALD,
Notary Public,
Montgomery County, Alabama.

By Mr. Tuck (with notice and proof):

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 873:

STATE OF ALABAMA
COUNTY OF GREENE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Eutaw in the County of Greene be and the same hereby are altered and rearranged so as to include within the corporate limits of said City of Eutaw, Alabama, all of the following described territory, to-wit:

NW¼ of NE¼ of Section 3, N½ of NW ¼ of Section 3, N½ of NE¼ of Section 4, E½ of NE¼ of NW ¼ of Section 4, NW¼ of NE¼ of Section 5, N½ of NW¼ of Section 5, all in Township 21 North, Range 2 East.

All of Section 34, E½ of Section 33, E½ of SE¼ of SW¼ of Section 33, N½ of SW¼ of Section 33, NW¼ of Section 33, S½ of Section 32, S½ of N½ of Section 32, NE¼ of NE¼ of Section 32, S½ of Section 28, E½ of SE¼ of Section 29, SE¼ of NE¼ of Section 29, NW¼ of Section 35, W½ of W½ of NE¼ of Section 35, NW¼ of SW¼ of Section 35, all in Township 22 North, Range 2 East.

Section 2. All laws and parts of laws, either general or special, in conflict with the provisions of this Act be and the same are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT

STATE OF ALABAMA
GREENE COUNTY

Before me personally appeared Richard K. Martin, who being duly sworn, states on oath, that he is publisher of the Greene County Demo-

crat, a newspaper published weekly, in Greene County, Alabama, and that the attached notice in re: A Bill to be entitled an Act, extension of city limits was published in said Greene County Democrat for 4 consecutive weeks, viz: May 22, 1969, May 29, 1969, June 5, 1969, June 12, 1969.

RICHARD K. MARTIN.

Sworn to before me, this 23rd day of June, 1969.

ETTA L. FISHBURNE,
Notary Public.

By Messrs. Bolton and Smith:

H. 874. To provide for the appointment of a deputy district attorney for the Twenty-Ninith Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Judiciary.

By Messrs. Bank, Brown, Culver, Robertson and Hobbie:

H. 875. To amend Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), an act regulating the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology, so as to regulate further the employment of apprentices.

Judiciary.

By Messrs. Higginbotham, Turnham and Brassell (with notice and proof):

H. 876. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Local Legislation No. 1.

Notice and Proof H. 876:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 394, H. 828, Regular Session 1961, (Acts 1961, p. 406) an act providing for deputies and assistants to the sheriff of Lee County, as amended, is further amended to read as follows:

"Section 1. The board of revenue, court of county commissioners or other like governing body of Lee County shall provide the sheriff of the county with one chief deputy, one assistant chief deputy, and two assistant deputies and in its discretion four additional assistant deputies, three jailers and one deputy clerk. The chief deputy shall receive not more than $600.00 monthly; the assistant chief deputy shall receive not more than $500.00 monthly; each assistant deputy shall receive not more than $470.00 monthly; each jailer shall receive not more than $350.00 monthly; and the deputy clerk shall receive not more than $250 monthly. The exact amount of compensation to be paid to each of such deputies and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. L. Blackmon, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-12, 5-19, 5-26, and 6-2, all in the year 1969.

W. L. BLACKMON.

Sworn to and subscribed before me June 10, 1969.

DOROTHY W. MITCHELL,
Notary Public.

By Mr. Stubbs (with notice and proof):

H. 877. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pelham in Shelby County so as to annex certain territory to the Town of Pelham, Alabama.

Local Legislation No. 1.

Notice and Proof H. 877:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage, and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pelham in Shelby County so as to annex certain territory to the Town of Pelham, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the Town of Pelham in Shelby County are hereby altered, rearranged and extended so that hereafter the corporate limits of said Town of Pelham shall include all of the following described territory situated in Shelby County, Alabama, and said hereinafter described property and territory shall constitute said Town, to-wit:

Begin at the northeast corner of Section 7, Township 20 South, Range 2 West; thence run westerly along the north boundary line of said Section 7, Township 20 South, Range 2 West, to the northwest corner of the E½ of Section 7, Township 20 South, Range 2 West; thence run northerly along the east boundary line of the W½ of Section 6, Township 20 South, Range 2 West 4900 feet to a point on the said boundary line of the W½ of Section 6, Township 20 South, Range 2 West; thence run westerly along a line parallel to the north boundary line of Section 6, Township 20 South, Range 2 West 2640 feet, more or less, to the east boundary line of Section 1, Township 20 South, Range 3 West; thence run northerly along the said boundary line of Section 1, Township 20 South, Range 3 West 380 feet more or less to the northeast corner of Section 1, Township 20 South, Range 3 West; thence run westerly along the north boundary line of said Section 1, Township 20 South, Range 3 West to the northwest corner of the E½ of Section 1, Township 20 South, Range 3 West; thence run southerly along the west boundary line of the E½ of said Section 1, Township 20 South, Range 3 West to the southwest corner of the E½ of Section 1, Township 20 South, Range 3 West: thence run westerly along the north boundary line of the NE¼ of the NW¼ of Section 12, Township 20 South, Range 3 West to the northwest corner of the NE¼ of the NW¼ of Section 12, Township 20 South, Range 3 West; thence run southerly along the west boundary line of the E½ of the NW¼ of Section 12, Township 20 South, Range 3 West to the southwest corner of the E½ of the NW¼ of Section 12, Township 20 South, Range 3 West; thence run westerly along the north boundary line of the W½ of the SW¼ of Section 12, Township 20 South, Range 3 West to the northeast corner of the E½ of the SE¼ of Section 11, Township 20 South, Range 3 West; thence continue westerly along the north boundary line of the E½ of the SE¼ of Section 11, Township 20 South, Range 3 West to the northwest corner of the E½ of the SE¼ of Section 11, Township 20 South, Range 3 West; thence run southerly along the west boundary line of the E½ of the SE¼ of Section 11, Township 20 South, Range 3 West to the southwest corner of the E½ of the SE¼ of Section 11, Township 20 South, Range 3 West; thence run westerly along the north boundary line of Section 14, Township 20 South, Range 3 West to the northwest corner of E½ of the W½ of Section 14, Township 20 South, Range 3 West; thence run southerly along the west boundary line of the E½ of the W½ of Section 14, Township 20 South, Range 3 West to the southwest corner of the E½ of the W½ of Section 14, Township 20 South, Range 3 West; thence continue southerly along the west boundary line of the E½ of the W½ of Section 23, Township 20 South, Range 3 West to the southwest corner of the E½ of the W ½ of Section 23. Township 20 South, Range 3 West; thence continue southerly along the west boundary line of the E½ of the W½ of Section 26, Township 20 South, Range 3 West to the southwest corner of the SE¼ of the NW¼ of Section 26, Township 20 South, Range 3 West; thence run easterly along the south boundary line of the N½ of Section 26, Township 20 South, Range 3 West to the southwest corner of the SE¼ of the NE¼ of Section 26, Township 20 South, Range 3 West; thence run southerly along the west boundary line of the N½ of the NE¼ of the SE¼ of Section 26, Township 20 South, Range 3 West to the southwest corner of the N½ of NE¼ of the SE¼ of Section 26, Township 20 South, Range 3 West; thence run easterly along the south boundary line of the N½ of the NE¼ of the SE¼ of

Section 26, Township 20 South, Range 3 West to the southeast corner of the N½ of the NE¼ of the SE¼ of Section 26, Township 20 South, Range 3 West; thence continue easterly along the south boundary line of the N½ of the NW¼ of the SW¼ of Section 25, Township 20 South, Range 3 West a distance of 700 feet more or less to the intersection of the south boundary line of the N½ of the NW¼ of the SW¼ of Section 25, Township 20 South, Range 3 West and the center line of U.S. Highway 31; thence run southwesterly along the center line of U.S. Highway 31 a distance of 100 feet more or less to the intersection of the center line of U.S. Highway 31 and the center line of Shelby County Road No. 68 (Wilson Road); thence run southeasterly along the center line of said County Road No. 68 a distance of 1150 feet more or less to the intersection of the center line of County Road 68 and the south boundary line of the NE¼ of the SW¼ of Section 25, Township 20 South, Range 3 West; thence run easterly along the south boundary line of the NE¼ of the SW¼ of Section 25, Township 20 South, Range 3 West a distance of 1100 feet more or less to the southeast corner of the NE¼ of the SW¼ of Section 25, Township 20 South, Range 3 West; thence run northerly along the east boundary line of the W½ of Section 25, Township 20 South, Range 3 West to the northeast corner of the W½ of Section 25, Township 20 South, Range 3 West; thence run easterly along the south boundary line of Section 24, Township 20 South, Range 3 West to the southeast corner of Section 24, Township 20 South, Range 3 West; thence continue easterly along the south boundary line of Section 19, Township 20 South, Range 2 West to the southeast corner of the W½ of the E½ of Section 19, Township 20 South, Range 2 West; thence run northerly along the east boundary line of the W½ of the E½ of Section 19, Township 20 South, Range 2 West to the northeast corner of the W½ of the E½ of Section 19, Township 20 South, Range 2 West; thence run easterly along the south boundary line of the SE¼ of the SE¼ of Section 18, Township 20 South, Range 2 West to the southeast corner of Section 18, Township 20 South, Range 2 West; thence run northerly along the east boundary line of Section 18, Township 20 South, Range 2 West to the northeast corner of Section 18, Township 20 South, Range 2 West; thence continue northerly along the east boundary line of Section 7, Township 20 South, Range 2 West to the northeast corner of Section 7, Township 20 South, Range 2 West and the point of beginning.

Section 2. All laws and parts of laws which conflict with this act are hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who, being duly sworn according to law, deposes and says that she is the Associate Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: May 29, June 5, 12, 19, 1969.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 20th day of June, 1969.

CONRAD M. FOWLER,
Judge of Probate.

By Messrs. Starnes, McDonald and Drake (with notice and proof):

H. 878. Relating to Marshall County; providing further for the salary and other allowances for the register of the circuit court; repealing conflicting laws and specifically repealing conflicting provisions of Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754) as amended, an act changing the method of compensating certain officers of Marshall County, and specifically repealing Act No. 350, of the Regular Session of the 1965 Legislature.

Local Legislation No. 1.

Notice and Proof H. 878:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marshall County; providing further for the salary and other allowances for the register of the circuit court; repealing conflicting laws and specifically repealing conflicting provisions of Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754) as amended, an act changing the method of compensating certain officers of Marshall County, and specifically repealing Act. No. 350, of the Regular Session of the 1965 Legislature.

Be It Enacted by the Legislature of Alabama:

Section 1. The register of the circuit court of Marshall County shall receive an annual salary of ten thousand dollars ($10,000).

Section 2. The governing body of Marshall County shall provide the register a maximum of ten thousand dollars ($10,000) per annum for the purpose of hiring clerks, deputies and other assistants necessary for the operation of the office of the register.

Section 3. The salary and office allowance provided in this act shall be paid in monthly installments from the county treasury in the same manner as employees of the county are paid.

Section 4. All laws and parts of laws in conflict with this act are hereby repealed and all conflicting provisions with respect to the compensation of the register of the circuit court contained in Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754) as amended, and contained in Act. No. 350 of the Regular Session of the 1965 Legislature are specifically repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Published of the Arab Tribune, a newspaper of gen-

eral circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1969.

EWELL H. REED.

Sworn to and subscribed before me June 12, 1969.

WYNELLE HAYES,
Notary Public.

By Messrs. Haygood and Hill (with notice and proof):

H. 879. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Local Legislation No. 1.

Notice and Proof H. 879:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Florence be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of the City of Florence all of the following additional adjacent territory in Lauderdale County, Alabama, situated, to-wit:

Tract A. Parts of the Southeast Quarter of Section 36, Township 2, Range 11 West, and the Northeast Quarter of Section 1, Township 3, Range 11 West, more particularly described as follows: Beginning at a point where the center line of Bellview Road intersects the center line of Hough Road; thence South 63°0' West for 368.5 feet; thence East for 466.0 feet; thence North 15°30' West for 237.0 feet to the center line of Hough Road; thence South 63°0' West for 90.6 feet to the point of beginning.

Tract B. Part of the East ½ of Section 7, Township 3 Range 10 West, beginning at a point where the West line of the East ½ of said Section 7 intersects the North shore line of the Florence Canal; thence North to the South boundary of Section 6, Township 3, Range 10 West; thence East to the Northeast corner of said Section 7; thence South to the 505-foot contour line of Lake Wilson and continue South with the East line of said Section 7, crossing a slough to the 505-foot contour line on the Westwardly side of said slough; thence Southwardly and Southwestwardly with said 505-foot contour line to Lake Wilson; thence Westwardly with the meandering of the North shore line of Lake Wilson and Florence Canal to the point of beginning.

Tract C. Beginning at the Southwest corner of Section 26, Township 2 South, Range 11 West; thence North to the intersection with Old Chisholm Road; thence Southwardly meandering with the center line of Old Chisholm Road to the South line of said Section 26; thence West to the Southwest corner of said Section 26 and point of begining.

Tract D. Beginning at a point 350 feet East and 40 feet South of the Northwest corner of the Northwest ¼ of the Northeast ¼ of Section 28, Township 2 South, Range 11 West; thence East for 610 feet; thence South 200 feet to the existing City Limits; thence West along the present City Limits line a distance of 610 feet; thence North 200 feet to the point of beginning.

Tract E. Beginning where the East line of the West ½ of Section 4, Township 3 South, Range 11 West intersects the center line of Cypress Creek; thence South to the South line of said Section 4; thence East 1320 feet; thence South 1320 feet; thence West to the center line of Cypress Creek; thence meandering upstream with the said Cypress Creek through the North ½ of Section 9, Township 3 South, Range 11 West, the Southwest ¼ of Section 4, Township 3 South, Range 11 West, Section 5, Township 3 South, Range 11 West, and the Northwest ¼ of Section 4, Township 3 South, Range 11 West to the point of beginning.

Section 2. This Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
LAUDERDALE COUNTY

I, Charles A. Spence, Advertising Manager of Florence Times Tri-Cities Daily, a daily newspaper published in Florence, Lauderdale County, Alabama and with a general circulation in Lauderdale and Colbert Counties, Alabama, and having been published and mailed under the Second Class Mailing Privileges for 52 consecutive weeks prior to the publication of the attached clipping, hereby certify that the attached clipping is a true and correct copy of: LEGAL NOTICE—Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit: To extend, alter and rearrange the boundaries and corporate limits, City of Florence as published in Florence Times Tri-Cities Daily on the days and dates and in the amount of space as here given, as follows: May 29; June 4, 11, 18, 1969, Florence, Ala., June 18, 1969.

CHARLES A. SPENCE,
Advertising Manager,
Florence Times Tri-Cities Daily.

Sworn to before me this 18th day of June, 1969.

WALLACE E. OWEN, JR.,
Notary Public, State at Large.
My Commission Expires 12/13/72.

By Messrs. Pennington, Jones, McLain, Laxson and Grainger:

H. 880. To provide for uniformity in designating county governing bodies in the several counties of this state.

State Administration.

By Messrs. Pennington and Grainger:

H. 881. Proposing an amendment to the Constitution of Alabama relating to the distribution and use of gasoline and motor fuel excise taxes for county and municipal purposes.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Pennington and Grainger:

H. 882. To amend Sections 3 and 4 of Act No. 743, H. 150, Regular Session 1957, as amended by Act No. 416, S. 284, Regular Session 1959, to provide for an increase in the amount of refund of state tax paid on gasoline which is used in propelling and operating tractors used exclusively for agricultural purposes.

State Administration.

By Messrs. Pennington and Grainger:

H. 883. To levy an additional excise tax upon gasoline of 1½¢ per gallon, for distribution to the several counties and cities therein, to replace revenue lost by such counties and cities as a result of the nullification of local excise taxes on gasoline under the provisions of a constitutional amendment proposed at the current session of the Legislature.

State Administration.

By Messrs. Pennington and Grainger:

H. 884. To levy an additional excise tax upon certain motor fuels of 1½¢ per gallon, for distribution to the several counties and cities therein, to replace revenue lost by such counties and cities as a result of the nullification of local excise taxes on motor fuel under the provisions of a constitutional amendment proposed at the current session of the Legislature.

State Administration.

By Messrs. Starnes, Drake and Melton:

H. 885. Relating to taxation, making further exemptions from state sales tax.

Ways and Means.

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, Collins (W), Manley, Cameron, Holladay, Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C), and Pennington:

H. 886. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment at their respective maturities of the principal of and interest on bonds of Alabama Highway Authority issued under an act adopted at the 1969 Regular Session of the Legislature of Alabama, and to clarify the provisions of the said Act insofar as they relate to refunding bonds that may hereafter be issued.

State Administration.

By Mr. Berryman (R):

H. 887. To amend Act No. 402, Section 6, Subdivision 5, page 639, Acts of Alabama, 1945.

Ways and Means.

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, McDonald, Cameron, Holladay, Manley, Collins (W), Cook, (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 888. To amend Sections 6 and 11 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to change the duration for which the corporation organized thereunder (known as Alabama Highway Authority) shall continue to exist.

State Administration.

By Messrs. House, Cook (Jefferson), Berryman (W), Merrill, Hill, Pruitt, Manley, Holladay, McCorquodale and Cook (Coffee):

H. 889. To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted at the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1967 of the Legislature.

Judiciary.

By Mr. Lemley:

H. 890. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blount County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. McCorquodale, Pruitt, Fite, Merrill, Hill, Collins (W), Manley, Cameron, Holladay, Cook (Jefferson), House, Berryman (W), Cook (Coffee), Gloor, Agee, Snell, Harper, Garrett, Hardin, Lyons, Melton, Harris, Wood, Edington, Collins (C) and Pennington:

H. 891. To amend Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama (relating to the excise tax on motor fuel as defined in the said act), as amended, so as to make further provision for the disposition of the proceeds of the tax levied thereby.

State Administration.

By Messrs. House, Cook (Jefferson), Merrill, Pruitt, Manley, Berryman (W), Hill, McCorquodale, Holladay and Cook (Coffee):

H. 892. To authorize Alabama Public School and College Authority, a public corporation, to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions where the board of directors of the Authority, with the approval of the Governor, shall determine that such capital improvements can be most advantageously located; to provide for the details of the said bonds and for the sale thereof; to make appropriation and pledge of funds for payment of the principal of and interest on the said bonds and authorize the Authority to pledge for payment

of the said principal and interest the funds so appropriated and pledged herein; to provide that the said bonds shall be limited obligations of the Authority payable solely from the funds so appropriated and pledged and shall not create an obligation or debt of the state; to provide that the said bonds and the income therefrom shall be exempt from taxation and the said bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the refunding of such bonds by the issuance of refunding bonds; to adopt with respect to the said bonds certain provisions of Act No. 243 adopted at the 1965 Special Session of the Legislature of Alabama; and to specify certain other provisions respecting the said bonds.

State Administration.

By Messrs. Bank, Springer, Harris, Cameron, Hobbie, McElhaney, Brown and Culver:

H. 893. To provide that certain school lunchroom managers and assistants to such managers may become members of the Teachers' Retirement System and shall receive all the benefits provided for teachers under the provisions of Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing such school lunchroom managers and assistants to such managers and also the duty of remitting to the secretary-treasurer of the retirement system both the employer's and the employees' contributions to the system; to provide for the payment of the employer's liability on account of matching contributions and providing for prior service of such school lunchroom managers and assistants to such managers out of funds in the Alabama Special Educational Trust Fund which have been appropriated therefor to the state department of education and distributed by such department to the several county and city boards of education employing lunchroom managers and assistants to such managers; and to make an appropriation to carry out the provisions of this Act.

Judiciary.

By Messrs. Agee and McCorquodale (with notice and proof):

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

Local Legislation No. 1.

Notice and Proof H. 894:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF WASHINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

Be It Enacted by the Legislature of Alabama:

Section 1. After the effective date of this Act, the several members of the court of county commissioners, board of revenue, or other like governing body of Washington County, shall be nominated and elected by the qualified electors of the county at large. A member shall be elected for each district, and he shall be a resident and qualified elector of the district for which he is elected. The members of the court of county commissioners, board of revenue or other like governing body of the county shall be elected at the time, in the manner, and for terms provided by law, except as otherwise herein provided, the members from districts 2 and 4 being elected pursuant to this Act in 1970 and every four years thereafter and the members from districts 1 and 3 being so elected in 1972 and every four years thereafter.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

DALTON JACKSON.

Sworn to and subscribed before me June 23, 1969.

DENNIS PORTER,
Notary Public,
State of Ala. at Large.

My Commission Expires 2/25/71.

By Messrs. Lemley and Bowers:

H. 895. To amend Code of Alabama 1940, Title 46, Section 127, so as to change the amount of the annual fee for renewal of registration as a licensed embalmer.

Judiciary.

By Messrs. Manley and Pruitt:

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

Local Legislation No. 1.

By Messrs. Grayson, McCorquodale, Owen (Baldwin), Headley, Agee, Shumate, Berryman (W), Downing, Collins (W), Robertson, Brown, Fine, Paulk, Brannan, Meade, Culver and Watkins:

H. 897. To prohibit the use of public state funds for the purposes of conducting courses of study in sex education below the ninth grade level in the public schools of the State of Alabama, to otherwise provide with reference to courses of study in sex education in the public schools of the State of Alabama, and to provide with respect thereto.

Health.

By Messrs. Manley and Pruitt (with notice and proof):

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

Local Legislation No. 1.

Notice and Proof H. 898:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

Be It Enacted by the Legislature of Alabama:

Section 1. That in addition to all other duties now imposed upon them by law the following extra, new and additional duties are hereby imposed upon the members of the Court of County Commissioners of Perry County:

(2) The Court shall hold regular meetings during the second and fourth weeks in each month of the year, on a day to be determined from time to time, by the Court, and at such other times as are now provided by law.

(b) Each member of the said Court shall superintend the construction and maintenance of all public roads and bridges in his or her district, and shall make such reports of his or her activities to the Court from time to time, as may be necessary to keep the Court informed as to the condition of the public roads and bridges in his or her district.

Section 2. Each member of the Court shall be entitled to receive the sum of One Hundred Dollars a month for the performance of the duties imposed upon him by this Act, which said compensation shall

be in lieu of all other compensation heretofore provided for by law, and shall be payable in the same manner and from the same funds as is now provided for by law.

(b) All payments heretofore made for services performed under this Act, are hereby validated and confirmed.

Section 3. This Act shall become effective on the first day of the first month, next after its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me June 19, 1969.

ELIZABETH F. STEWART,
Notary Public,
Perry Co., Ala.

By Mr. Hill:

H. 899. To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

State Administration.

By Mr. Perloff:

H. 900. To amend Act No. 252, S. 198, Special Session 1961, an Act creating the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000, in order to furnish the license commissioner an automobile and gasoline to be used only as necessary in the performance of the official duties of his office.

Local Legislation No. 3.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 137. To amend Act No. 866, Regular Session 1965, an act relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requir-

ing all such policies or contracts of insurance to include a provision insuring the insured and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

H. 227. Relating to banks and banking; requiring certain proof of responsibility to effect a change in control of any state bank or trust company; providing penalties for violations.

H. 228. Relating to the state banking department; amending Section 9 of Act No. 204, H. 30, Regular Session 1955 (Acts 1955, p. 497), so as to provide further for the authority and duties of the deputy superintendent of banks.

H. 229. To amend Title 5, Section 118, Code of Alabama 1940, in relation to the powers of banking and trust companies.

H. 230. Relating to banks and banking; providing further for the qualifications of directors of certain banks; amending Code of Alabama 1940, Title 5, Section 185.

H. 404. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 776 (with substitute). To amend further Section 1 of Act No. 518, H. 283, approved September 16, 1963 (Acts of Alabama, p. 1106), to fix the compensation of Court Reporters, and provide for the payment thereof.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 777. To amend further Section 2 of Act No. 302, H. 208, approved September 5, 1919 (General Acts of Alabama, p. 268) entitled "An Act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 778 (with amendment). To propose an amendment to the Constitution of Alabama to authorize the Legislature to provide a Pension Fund for the Fire Fighters in Alabama and to levy a tax in support thereof.

The above bill was read a second time at length as required by the Constitution.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 779. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 330. To provide for and regulate the selection and impaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of this State.

H. 402. To amend Code of Alabama 1940, Title 13, Section 263, in order to raise the court reporter's fees for making transcripts of the proceedings of judicial trials.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 637 (with substitute). Providing for qualified State Highway Department employees to obtain a Master's Degree in Traffic and/or Transportation Engineering.

H. 638 (with substitute). To encourage and promote the development of traffic engineering for the safe, convenient and economical movement of people and goods on public highways and streets; to provide for the employment of a staff of traffic engineers within the Highway Department; and to provide for a traffic engineering planning and implementation program for the counties, cities and towns.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 799. To amend Section 29 of Act No. 516, H. 769, p. 740, Regular Session, 1949, prescribing the method of riding on motorcycles.

H. 811. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems,

and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

S. 101. To amend the Securities Act of Alabama (Acts 1959, v. 2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

S. 124. To further provide for supernumerary district attorneys.

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 636 (with amendment). To amend Act No. 22, H. 1, Regular Session 1953 (Acts 1953, p. 25), relating to the speed of motor vehicles on the state highways, so as to further regulate the speed of motor vehicles on highways included in the Interstate System.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 477. To amend Act No. 669, Regular Session 1939, known as the Motor Carrier Act of 1939 (General Acts of Alabama, 1939, p. 1064) by imposing a fee for applications for certificates of public convenience and necessity and permits.

H. 745. To prohibit the solicitation of contributions on the public streets, roads, and highways; and to prescribe penalties for the violation of this act.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 373. To provide that members of the fire department and members of the police department of the same municipality having equivalent rank shall receive equal pay; to provide that the fire chief and the police chief of the same municipality shall be of equivalent rank; to provide that the governing body of the municipality shall determine what positions in the fire department and police department of such municipality, other than fire chief and police chief, are of equivalent rank; to require the authority having power to establish salaries for members of the police department and of the fire department of a municipality to establish equal pay for members of the two departments of the same municipality having equivalent rank; to provide that this Act shall not prohibit the establishment, for positions in the two departments, of a minimum salary and a maximum salary and such intermediate salaries as are deemed advisable by the authority empowered to establish salaries for members of the two departments; to provide that the Act shall not prohibit rules providing for the advancement from the minimum salary to the maximum salary attached to a position; to repeal all laws or parts of laws, whether general, special or local, in conflict with the provisions of this Act; to provide that if any part of this Act is held unconstitutional such holding shall not affect any other part of this Act; and to provide when this Act shall become effective.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 706. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State

Board of Agriculture and Industries to fix minimum plant food content, grades and ratios for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

H. 824. To amend the "Alabama Water Management Act", Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

H. 694. Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

H. 785. Relating to counties having populations of not less than 38,000 nor more than 45,000; authorizing an appropriation from the treasury of any such county for the relief of Eurell Bailey.

H. 793. To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissions of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

H. 815. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial cir-

cuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

H. 827. To alter, rearrange and extend the boundary lines and corporate limits of the town of Level Plains in Dale County.

H. 828. To authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

H. 829. To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

H. 830. To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

S. 173. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; repealing conflicting laws.

S. 214. To withdraw and take away all authority, power, and duties of constables relative to criminal and quasi-criminal matters in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; repealing conflicting laws.

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

S. 216. To create the office of warrant clerk in all counties having populations of not less than 31,500 nor more than 32,200 according to the most recent federal decennial census; to provide for his appointment, tenure, duties and compensation; and to repeal conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 263 (with amendment). To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

S. 409. Relating to counties having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

H. 821. To authorize any city of this state having a population of 300,000 or more inhabitants, according to the last or any subsequent federal census to pay hospital bills, doctors' bills, and other medical expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

H. 820. To further amend Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125) as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as amended by Act No. 680 of the 1961 Regular Session approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favor-

able report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 696. To provide for an exemption from ad valorem taxation of the property owned by the Mobile Carnival Association and parading organizations affiliated with it.

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and place on the Calendar, to-wit:

S. 402 (with amendment). To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 300,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and NO/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 121 (with substitute). To license hearing aid dealers and salesmen; to establish a board of hearing aid dealers; to establish an advisory council; to prescribe the powers and duties of the board and advisory council; to provide for enforcement of this act; and to provide penalties for its violation.

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 62. To amend further Section 773, Title 37, Code of Alabama 1940, as amended.

H. 66. To amend further Section 778, Title 37, Code of Alabama 1940, as amended.

H. 96. To amend further Section 462, Title 37, Code of Alabama 1940, as amended, relating to the publication and recording of ordinances.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 52. To apply only in Elmore County; fixing the fee for issuance of pistol permits by the sheriff and providing for distribution and use of such fees.

Also:

H. 53. To fix the allowance for travel expenses provided the sheriff of Elmore County.

Also:

H. 54. To amend further Section 6 of Act No. 49, H. 213, Regular Session 1957, an act providing for a chief deputy sheriff and other deputies of the sheriff of Elmore County and regulating their compensation and allowances.

Also:

H. 55. Relating to Elmore County; providing expense allowances for members of the board of equalization of Elmore County.

Also:

H. 56. Relating to Elmore County; providing expense allowances for members of the county board of registrars.

Also:

H. 197. To amend act proposed at the Special Session of the Alabama Legislature, 1969, by House Bill 90 in order to include children suffering from dyslexia among the children entitled to assistance under such law.

Also:

H. 540. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate; and to prescribe further the manner of keeping records and recording documents, instruments and paper; to provide for the discontinuance of keeping copies or prints or records in well-bound books.

Also:

H. 541. Relating to counties having populations of not less than 150,000 nor more than 300,000; to provide further for the duties and authority of the judge of probate in such counties; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books;" to authorize the probate judge to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to provide the manner of keeping records of the probate of wills; to prescribe the procedure for selling copies of certain records; and repealing conflicting laws.

Also:

H. 650. To alter, rearrange and extend the boundary lines and corporate limits of the town of Town Creek in Lawrence County.

Also:

H. 37. Proposing an amendment to the Constitution of Alabama providing for a special school tax in school districts numbers one and two in Colbert County.

Also:

H. 509. To propose an amendment to the Constitution of Alabama relating to Lawrence County that would empower each school district in said county, when authorized at an election therein, to levy and collect a special five mill district school tax on the assessed valuation of the taxable property in such district for public school purposes in such district, and conferring upon the county board of education of said county the power under some circumstances and without an election to change the boundaries of any school district in said county or consolidate any two or more school districts therein.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill and House Joint Resolutions, to-wit:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,700 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

Also:

H. J. R. 38. Relative to adjournment between the dates of June 12, 1969 and June 17, 1969.

Also:

H. J. R. 39. Saluting Mr. H. Earle Williams upon his retirement.

Also:

H. J. R. 41. Extending good wishes and expressing appreciation to Miss Agnes Brindley upon her retirement as Administrative Assistant to the Superintendent of Education.

Also:

H. J. R. 42. Naming the Business Administration Building at Jacksonville State University "Hugh Merrill Hall."

Also:

H. J. R. 43. Commending Mrs. Ann Davis of Eufaula for her heroic actions and aquatic skill in rescuing three small boys from drowning.

Also:

H. J. R. 44. Naming the school of law enforcement at Jacksonville State University "The Albert P. Brewer School of Law Enforcement."

Also:

H. J. R. 45. Naming the athletic dormitory at Jacksonville State University the "Don Salls Dormitory."

Also:

H. J. R. 46. Naming the so-called "Round House" on the campus of Jacksonville State University "Marvin Anders Auditorium."

Also:

H. J. R. 47. Naming the new girls' dormitory at Jacksonville State University "The Ivo Hall Sparkman Dormitory."

Also:

H. J. R. 49. Congratulating Dr. Forest David Mathews upon his appointment to the presidency of the University of Alabama at Tuscaloosa.

Also:

H. J. R. 50. Congratulating Dr. Joseph F. Volker upon his nomination to the presidency of the University of Alabama Complex at Birmingham.

Also:

H. J. R. 52. Memorializing the Congress of the United States to amend the laws concerning veterans and veterans' affairs to eliminate the so-called "Pauper's Oath" as a prerequisite to entrance by a veteran into a Veterans' Administration Hospital.

Also:

H. J. R. 53. Commending the Retired Men's Club of Tuscaloosa.

Also:

H. J. R. 54. Commending the 1969 Girls State Staff members and counselors.

Also:

H. J. R. 55. Relative to the adjournment of the legislature on June 25, 1969 and the meeting again on July 8, 1969.

Also:

H. J. R. 56. Relative to mourning the death of Curtis Adrian Gentry, Jr. of Mobile, Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolution, to-wit:

H. J. R. 57. Mourning the death of Mr. William P. Bloom, of Tuscaloosa.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Also:

H. 364. To repeal Act No. 76, H. 457, Regular Session 1965 (Acts 1965, p. 104), entitled "An Act relating to counties having populations of not less than 31,000 nor more than 32,000; to fix the compensation of superintendents of education of such counties."

Also:

H. 365. Relating to Dale County; providing further for the meetings of the county board of education, and repealing conflicting laws.

Also:

H. 366. Regulating the compensation of registrars of Dale County, and providing for payment of additional compensation by the county.

Also:

H. 367. To alter, rearrange and extend the boundary lines and corporate limits of the City of Ozark, Dale County, so as to annex certain territory to the city.

Also:

H. 627. Relating to counties having populations of not less than 31,000 nor more than 32,000; fixing the compensation and providing an expense allowance for the county governing body; and to validate actual expenses heretofore paid for travel and other expenses incurred in the performance of duties outside the county.

Also:

H. 692. Relating to the public school funds of Limestone County; authorizing the board of education to budget and expend funds for the office of the county superintendent of education, and to regulate the salary, expenses and allowances of the superintendent; providing for the payment of monthly expense allowances to members of the board of education from such funds.

Also:

H. 642. Relating to counties having a population of not less than 13,700 nor more than 14,300; increasing the salary of the deputy solicitor in such counties.

Also:

H. 626. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the City of Ozark and in the territory of Dale County exclusive of Ozark.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 730. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Also:

H. 572. Relating to Tallapoosa County; levying a privilege license or excise tax upon sellers, distributors, storers, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Also:

H. 654. To provide that the Governing Body of any City or town in any county in the State of Alabama having a population, according to the last or any future Federal Census, in excess of 300,000 inhabitants and less than 600,000 inhabitants may, by resolution or ordinance, create the position of Assistant City Attorney on a full time basis, and designate the position to be that of the Senior Assistant City Attorney, or Principal Attorney, or other such appropriate title; and may provide by the same resolution or ordinance that any person presently holding such position in the municipal government shall be immediately placed upon the employment roster of any countrywide Civil Service or merit system of such county, without examination and without any decrease in the salary of such person, and such position shall thereafter remain under the provisions of any such countrywide Civil Service or merit system.

Also:

H. 286. To alter, rearrange and extend the boundary lines and corporate limits of the City of Prichard in Mobile County.

Also:

H. 737. To provide for the expenses of members of the Boards of Educations in counties having a population of not less than 14,500 nor more than 14,900 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

H. 738. To provide for additional expenses for additional travel for the chairmen and members of the County Boards of Revenue or other County Governing Bodies in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional expense payments to $50.00 per month to the Chairman of such county governing body and to $100.00 per month to the members thereof, and to provide an expiration date for this Act: and to repeal all laws in conflict herewith.

Also:

H. 739. To further provide for the expenses of the County Solicitor in counties having a population of not less than 21,800 nor more than 21,850, according to the last or any subsequent federal decennial census, and to limit such payment to one hundred dollars ($100) per month for travel required.

Also:

H. 740. To provide for additional expenses of Chief Deputy Sheriffs in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such additional payments for expenses to $100 per month and to provide an expiration date for this Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Hawkins, Childs, Bailes, Dominick, Vacca, Morrow and Gilmore:

S. J. R. 31. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Science Building at Jefferson State Junior College be named the H. Y. Carson Building; that the Humanities Building be named the Bethune-DeRamus Building; and that the Student Center be named the Eugene Fitzgerald Building.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 31 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDermott, Pelham and Engel:

S. J. R. 32. WHEREAS, The Most Reverend Thomas J. Toolen, Archbishop-Bishop of the Diocese of Mobile-Birmingham, in September 1968 celebrated the fifty-eighth anniversary of his ordination as a priest, and

WHEREAS, of these long and fruitful years of service, forty-two years have been spent as Bishop of the Diocese of Mobile-Birmingham, and

WHEREAS, while these long years of service in our State have been difficult and demanding of Archbishop Toolen, yet they have proved most rewarding and beneficial not only to those of the Catholic faith but to all Alabamians, and

WHEREAS, although it may seem that each year witnesses difficulties and problems ever larger and more complex, still this great leader continues to guide his flock in a most capable, understanding and Christian manner, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Archbishop Toolen on his long and great record of service in Alabama and ex-

press our wish that God may grant him many more years of service in his ministry in our State.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to Archbishop Toolen.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 32 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDermott:

S. J. R. 33. WHEREAS, Mr. Curtis E. Lord, Sr., and his lovely wife, Mrs. Ruth Lord, were recently nominated as American Legion Post Golden Legionaires by the Woodie Dixon, Jr., Post of the American Legion in Prichard, where Mr. Lord is a charter member, and

WHEREAS, this outstanding couple has devoted a great amount of their time over the years to worthy civic, patriotic, and fraternal causes; Mr. Lord, a veteran of active military service in World War II, the Korean conflict, and the Berlin crisis, has been Post Commander of Woodie Dixon Post three times and is now serving in that office; he has served as 7th district commander twice and has held other high Legion positions. Mrs. Lord has served as president of the Auxiliary three times and 7th district Auxiliary president twice and has held other Legion Auxiliary offices, and

WHEREAS, these fine persons are outstanding citizens of Chickasaw and have contributed greatly to the civic betterment of that city as well as to the City of Prichard, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend the hearty congratulations of this body to these outstanding citizens and convey our best wishes for many more years of similar accomplishments.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to Mr. and Mrs. Lord and a copy sent to Woodie Dixon, Jr., Post, American Legion, in Prichard, Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 33 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 231. To amend Act 22, First Special Session 1969, approved May 14, 1969 so as to change the effective date thereof.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4 PM On June 25, 1969.

H. 40

H. 75

H. 76

H. 77

H. 202

H. 243

H. 208

H. 245

H. 249

H. 250

H. 363

H. 589

H. 504

H. 505

H. 506

H. 610
H. 651
H. 507
H. 508
H. 41
H. 158
H. 159
H. 160
H. 161
H. 692
H. 642
H. 730
H. 219
H. 223
H. 224
H. 233
H. 241
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H. 572

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H. 630
H. 662
H. 664
H. 221
H. 222
H. 254
H. 256
H. 52
H. 53
H. 54
H. 55
H. 56
H. 197
H. 540
H. 541
H. 650
H. 737
H. 738
H. 739
H. 1
H. J. R. 38
H. J. R. 39
H. J. R. 41
H. J. R. 42
H. J. R. 43
H. J. R. 44
H. J. R. 45
H. J. R. 46
H. J. R. 47
H. J. R. 49
H. J. R. 50
H. J. R. 52

H. J. R. 53
H. J. R. 54
H. J. R. 55
H. J. R. 56
H. J. R. 57
H. 726
H. 364
H. 365
H. 366
H. 367
H. 627
H. 740

Delivered to the Secretary of State at 4:22 PM On June 25, 1969.

H. 37
H. 509
H. 39
H. 626

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Meade, the House, in accordance with H. J. R. 55 heretofore adopted, adjourned until Tuesday, July 8, 1969, at one c'clock P. M.

Yeas 47; Nays 42.

Yeas:

Mr. Speaker	Crane	Hill	Owen (Baldwin)	
Bank	Dill	Holladay	Owens (W.E.)	
Bassett	Doss	Laxson	Paulk	
Beck	Edington	Lemley	Pearson	
Berryman (R)	Fine	Lyons	Pennington	
Berryman (W)	Gafford	Malone	Perloff	
Blanton	Graham	Marr	Shumate	
Bolton	Hain	Mathews	Slate	
Brannan	Hardin	Mays	Starnes	
Brassell	Haygood	McDonald	Williams	
Brown	Headley	Meade	Wood	
Collins (W)	Higginbotham	Merrill		—47

Nays:

Messrs.:	Ellis	Manley	Sessions	
Adwell	Foshee	McCorquodale	Smith	
Agee	Garrett	McElhaney	Snell	
Bowers	Gloor	McLain	Springer	
Cameron	Grainger	Meeks	Stubbs	
Cherner	Grayson	Melton	Waggoner	
Collins (C)	Harris	Money	Watkins	
Cook (Jefferson)	House	Nettles	Weeks	
Culver	Jackson (F)	Owens (W)	Wright	
Dobbs	Jones	Pruitt	Yeilding	
Downing	Lybrand	Robertson		—42

SIXTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 8, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Chester Jernigan, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Adwell	Doss	Jones	Pennington
Agee	Downing	Kilgore	Perloff
Bassett	Drake	Laxson	Pruitt
Beck	Edington	Lemley	Robertson
Berryman (R)	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Foshee	Malone	Slate
Bolton	Gafford	Marr	Smith
Bowers	Garrett	Mathews	Snell
Brannan	Gloor	Mays	Springer
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Burgess	Hain	McElhaney	Stembridge
Burgreen	Hardin	McLain	Stubbs
Cameron	Harper	Meade	Tuck
Cherner	Harris	Meeks	Turnham
Collier	Haygood	Melton	Waggoner
Collins (C)	Headley	Merrill	Watkins
Collins (W)	Higginbotham	Money	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Cook (Jefferson)	Hobbie	Neville	Wood
Crane	Holladay	Owen (Baldwin)	Wright
Crawford	Holman	Owens (W)	Yeilding
Culver	House	Owens (W.E.)	Young
Dill	Jackson (F)	Paulk	—103

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Pruitt, leave of absence was granted to Mr. Manley for this week due to military service.

On motion of Mr. Culver, leave of absence was granted to Mr. Bank for this week to attend the Southern Regional Education Conference in Hot Springs, Arkansas, where he will represent the State of Alabma.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

Also:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

Also:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 303. To amend Act No. 403 adopted at the 1967 Regular Session of the Legislature of Alabama relating to the establishment in the City of Montgomery of a college or branch of Auburn University and the issuance of bonds therefor by Alabama Public School and College Authority so as to provide that the said college or branch may be located in either or both the said city and in its police jurisdiction, and that the net proceeds from the sale of the bonds authorized in the said Act No. 403 may be used for the acquisition as well as the construction and equipment of physical facilities, so as to eliminate from the said act the provisions permitting the use of a portion of the proceeds from the said bonds for support and maintenance of the said college or branch, so as to clarify the provisions of the said act which have the effect of incorporating therein by reference Act No. 243 adopted at the First Special Session of 1965 of the Legislature, and so as to make the said incorporation by reference applicable to the said Act No. 243 as amended by an act adopted at the 1969 Regular Session of the Legislature.

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

On motion of Mr. Berryman (W), leave of absence was granted to Mr. Graham due to the death of his father.

UNANIMOUS CONSENT TO ASK RETURN OF S. 186

On motion of Mr. Holladay, unanimous consent was granted to suspend the rules and ask the Senate to return to the House the bill, S. 186.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifteenth legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 65. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Sixteenth Legislative Day, taking precedence over any other business in the House on this day:

Uncontested Local Bills

S. B. 291, Page 83
S. B. 329, Page 84
S. B. 330, Page 84
H. B. 342, Page 8
H. B. 217, Page 30
H. B. 360, Page 50
H. B. 420, Page 51
H. B. 423, Page 76
H. B. 452, Page 53
H. B. 168, Page 22
H. B. 575, Page 59
S. B. 176, Page 83
S. B. 124, Page 83
H. B. 119, Page 40
H. B. 70, Page 29
H. B. 71, Page 29
H. B. 74, Page 56
H. B. 414, Page 50
H. B. 765, Page 70
H. B. 362, Page 66

H. B. 19, Page 63
H. B. 21, Page 20
H. B. 44, Page 15
H. B. 668, Page 55
H. B. 4, Page 20
H. B. 288, Page 13
H. B. 534, Page 30
H. B. 653, Page 67
H. B. 361, Page 20
H. B. 226, Page 47
H. B. 811, Page 81
H. B. 375, Page 17
H. B. 79, Page 38
H. B. 270, Page 35
H. B. 458, Page 32
H. B. 169, Page 64
H. B. 776, Page 78
H. B. 777, Page 79
H. B. 137, Page 77
H. B. 141, Page 18
H. B. 298, Page 10
H. B. 299, Page 10
H. B. 300, Page 11
H. B. 301, Page 11
H. B. 302, Page 11
H. B. 303, Page 12

On motion of Mr. Merrill, the rules were suspended and H. R. 65 was adopted.

Yeas 65; Nays 10.

Yeas:

Mr. Speaker	Dobbs	Lemley	Pruitt
Agee	Downing	Lyons	Robertson
Bassett	Edington	Malone	Sessions
Beck	Ellis	Marr	Shumate
Berryman (R)	Fine	Mays	Smith
Blanton	Foshee	McCorquodale	Snell
Brannan	Hain	Meade	Springer
Brassell	Hardin	Melton	Starnes
Burgreen	Harper	Merrill	Steagall
Collins (C)	Harris	Neville	Stembridge
Collins (W)	Headley	Owen (Baldwin)	Stubbs
Cook (Coffee)	Higginbotham	Owens (W)	Tuck
Cook (Jefferson)	Holman	Paulk	Williams
Crane	Jackson (F)	Pearson	Wright
Crawford	Kilgore	Pennington	Yeilding
Culver	Laxson	Perloff	Young
Dill			

—65

Nays:

Messrs.:	Gafford	Grayson	Nettles	
Adwell	Garrett	Hill	Turnham	
Burgess	Gloor	Jackson (T)		—10

Also:

By Mr: Yeilding:

H. J. R. 66. WHEREAS, Dr. Charles David Hounshell, formerly Dean of Newcomb College of Tulane University, has been named President of Birmingham-Sounthern College effective July 1, 1969; and

WHEREAS, said Birmingham-Southern College, a Methodist Church related liberal arts college, is a strong and vital element of higher education in Alabama; and

WHEREAS, the appointment of Dr. Hounshell as President will bring further distinction to Birmingham-Southern College and enhance its role in our system of higher education; and

WHEREAS, the Legislature of Alabama desires to extend a warm welcome and good wishes to Dr. Hounshell and his family as they come to Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to Dr. Charles David Hounshell and all members of his family a warm and sincere welcome to the State of Alabama and good wishes for his success as President of Birmingham-Southern College.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Dr. Charles David Hounshell as evidence of this action by the Legislature.

On motion of Mr. Yeilding, the rules were suspended and H. J. R. 66 was adopted.

Also:

By Messrs. Manley, Brassell, Bowers, Headley, Turnham, Higginbotham and Tuck:

H. J. R. 67. WHEREAS Four Star Marine General Holland M. Smith was a native of Alabama, born in Hatchechubbee, Russell County, Alabama, in 1882; and,

WHEREAS General Smith graduated from Auburn University in 1901 and the University of Alabama School of Law in 1903; and,

WHEREAS he joined the United States Marine Corps and served with distinction for forty-one years in that world renowned military organization in which he established himself as the Father of Modern Amphibious Warfare during World War II in which he planned and led the offensive assaults at Tarawa, Saipan, Iwo Jima and numerous other Pacific Islands; and,

WHEREAS General Smith passed away in February, 1967, at the age of 84, and by his will established scholarship funds at both Auburn University and the University of Alabama so that he might make a higher education available for the many deserving young men and women of our State and thereby play a significant part in their future; and,

WHEREAS the Marine Corps Reserve Officers of the State of Alabama are presently engaged in a program to preserve and perpetuate

the memory of General Holland M. Smith through a non-profit educational corporation, whose goal it is to augment the aforesaid scholarships established by General Smith; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we do hereby endorse, support and enthusiastically solicit the efforts of all Alabamians and all Marines everywhere to support this worthy endeavor to perpetuate the memory of this native Alabamian, one of the most illustrious leaders ever to serve in the United States Marine Corps.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the Commandant of the Marine Corps, to the President of Auburn University, to the President of the University of Alabama, and to the Chairman of the Holland M. Smith Memorial.

On motion of Mr. Higginbotham, the rules were suspended and H. J. R. 67 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 35. WHEREAS, Senator Lister Hill, recently retired from long years of service to his state and nation in the United States Senate, has graciously accepted the invitation to address a joint session of the Legislature of Alabama under the terms of H. J. R. 26; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That both houses of the Legislature assemble in joint session in the Hall of the House of Representatives at 1:30 P.M. today, July 8, 1969, for the purpose of hearing the address of Senator Lister Hill.

BE IT FURTHER RESOLVED that a committee of three members of the Senate, to be named by the Presiding Officer of the Senate, and three members of the House, to be named by the Speaker of the House, be appointed to escort Senator Hill to the House Chamber.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Cooper, Pierce and Harris.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Springer, the rules were suspended and the House concurred in and adopted the S. J. R. 35 set out in the above and foregoing Message from the Senate.

COMMITTEE APPOINTED

The Speaker, in accordance with S. J. R. 35, appointed as a Committee on the part of the House, to escort Senator Lister Hill into the House chambers, Messrs. House, Springer and Harris.

UNANIMOUS CONSENT TO RE-REFER H. 2

On motion of Mr. Owen (Baldwin), unanimous consent was granted for H. 2 to be re-referred, and it was re-referred from the Standing

Committee on Conservation to the Standing Committee on Business and Labor.

UNANIMOUS CONSENT TO INTRODUCE BILL

On motion of Mr. Steagall, unanimous consent was granted to introduce a bill out of order.

INTRODUCTION OF BILL

The following bill was introduced, read one time, and referred to appropriate standing committee as follows:

By Mr. Steagall:

H. 901. To validate public hospital associations for public hospital purposes attempted to be organized under Act No. 211 adopted at the 1945 Regular Session of the Legislature of Alabama, as originally adopted or amended, where the governing body of a county, a city, or both, has or have authorized the incorporation of such association but where the attempted incorporation is invalid or irregular because of some irregularity in the procedure for incorporation.

Judiciary.

RECESS FOR JOINT SESSION

On motion of Mr. Springer, the House recessed to hear an address by Senator Lister Hill, and the two houses met in Joint Session.

HOUSE RECONVENES

The House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Pierce, Giles and Turner.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 182.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Cameron, Merrill and Springer.

RESOLUTION

The following resolution was introduced:

By Mr. Cherner:

H. J. R. 68. WHEREAS John Noble Graham, father of our esteemed colleague Bryce U. Graham of Colbert County has recently passed away, and

WHEREAS Mr. Graham throughout his long and fruitful life made many friends throughout the state, and was well regarded and respected by all who knew him, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of John N. Graham, and extend our deepest sympathy to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to Mr. Bryce U. Graham.

On motion of Mr. Cherner, the rules were suspended and H. J. R. 68 was adopted.

BILLS ON THIRD READING

And the bill:

H. 255. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; to provide an additional expense allowance for the chairman or presiding judge and members of the governing body of any such county, payable out of county funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Paulk
Agee	Doss	Hobbie	Pennington
Bassett	Downing	Holman	Perloff
Beck	Edington	Jackson (F)	Sessions
Berryman (R)	Ellis	Jackson (T)	Shumate
Blanton	Fine	Kilgore	Smith
Brannan	Foshee	Lemley	Snell
Brassell	Garrett	Malone	Springer
Brown	Gloor	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	Meade	Tuck
Collier	Hardin	Melton	Waggoner
Collins (C)	Harper	Merrill	Watkins
Collins (W)	Harris	Neville	Williams
Cook (Coffee)	Haygood	Owen (Baldwin)	Wright
Crawford	Headley	Owens (W)	Young
Culver			—65

And the bill:

H. 594. Relating to counties having a population of not less than 15,000 nor more than 15,300 according to the most recent federal decennial census; fixing the compensation of the superintendent of education in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Pearson
Agee	Downing	Jackson (T)	Pennington
Bassett	Edington	Kilgore	Perloff
Beck	Ellis	Lemley	Robertson
Berryman (R)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Brannan	Garrett	Malone	Smith
Brassell	Gloor	Marr	Snell
Brown	Grayson	Mays	Springer
Burgreen	Hain	McCorquodale	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harper	Melton	Tuck
Collins (C)	Harris	Merrill	Waggoner
Collins (W)	Haygood	Neville	Watkins
Cook (Coffee)	Headley	Owen (Baldwin)	Williams
Crawford	Higginbotham	Owens (W)	Wright
Culver	Hobbie	Paulk	Young
Dobbs			

—69

And the bill:

H. 667. To amend Act No. 491, S. 444 of the Regular Session of 1961 (Acts, 1961 Regular Session, p. 563) which provides for a commission form of government for cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census, in relation to the compensation of the chairman and associate members of the commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Paulk
Agee	Dobbs	House	Pennington
Bassett	Doss	Jackson (F)	Perloff
Beck	Downing	Jackson (T)	Pruitt
Berryman (R)	Edington	Kilgore	Sessions
Blanton	Ellis	Lemley	Smith
Brannan	Fine	Lybrand	Snell
Brassell	Foshee	Malone	Steagall
Brown	Garrett	Marr	Stembridge
Burgreen	Gloor	Mays	Stubbs
Cameron	Grayson	McCorquodale	Tuck
Collier	Hain	Meade	Turnham
Collins (C)	Hardin	Melton	Waggoner
Collins (W)	Harper	Merrill	Watkins
Cook (Coffee)	Harris	Neville	Williams
Crane	Haygood	Owen (Baldwin)	Wright
Crawford	Higginbotham	Owens (W)	Young

—68

And the bill:

H. 688. To provide for the appointment and tenure and number and fixing the compensation of Bailiffs for the Sixth Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Higginbotham	Owens (W)
Agee	Doss	Hobbie	Paulk
Bassett	Downing	Holladay	Pennington
Beck	Edington	Holman	Perloff
Berryman (R)	Ellis	House	Pruitt
Blanton	Fine	Jackson (T)	Robertson
Brannan	Foshee	Kilgore	Sessions
Brassell	Garrett	Lemley	Smith
Brown	Gloor	Lybrand	Snell
Burgreen	Grainger	Malone	Steagall
Cameron	Grayson	Marr	Stembridge
Collier	Hain	Mays	Tuck
Collins (C)	Hardin	McCorquodale	Turnham
Collins (W)	Harper	Meade	Waggoner
Cook (Jefferson)	Harris	Melton	Williams
Crane	Haygood	Merrill	Wright
Crawford	Headley	Owen (Baldwin)	Young
Culver			

—69

And the bill:

H. 694. Relating to Franklin County; providing for reimbursement of actual expenses of travel to members of the board of revenue when traveling out of the county on county business; and providing for retroactive effect of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Culver	Higginbotham	Owens (W)
Agee	Dobbs	Hobbie	Paulk
Beck	Doss	Holman	Pennington
Berryman (R)	Downing	House	Perloff
Berryman (W)	Edington	Jackson (T)	Pruitt
Blanton	Ellis	Kilgore	Robertson
Brannan	Fine	Lemley	Smith
Brassell	Foshee	Lyons	Snell
Brown	Garrett	Malone	Springer
Burgreen	Gloor	Marr	Starnes
Cameron	Grainger	Mays	Steagall
Collier	Grayson	McCorquodale	Stembridge
Collins (C)	Hain	McDonald	Tuck
Collins (W)	Hardin	Meade	Turnham
Cook (Coffee)	Harper	Melton	Waggoner
Cook (Jefferson)	Harris	Merrill	Williams
Crane	Haygood	Neville	Wright
Crawford	Headley	Owen (Baldwin)	Young

—72

And the bill:

H. 785. Relating to counties having populations of not less than 38,000 nor more than 45,000; authorizing an appropriation from the treasury of any such county for the relief of Eurell Bailey.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Perloff
Agee	Downing	Kilgore	Pruitt
Beck	Edington	Lemley	Robertson
Berryman (R)	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Foshee	Malone	Smith
Brannan	Garrett	Marr	Snell
Brassell	Gloor	Mays	Springer
Brown	Grainger	McCorquodale	Starnes
Burgreen	Grayson	McDonald	Steagall
Cameron	Hain	Meade	Stembridge
Collier	Hardin	Melton	Tuck
Collins (C)	Harper	Merrill	Turnham
Collins (W)	Harris	Neville	Waggoner
Cook (Coffee)	Haygood	Owen (Baldwin)	Watkins
Cook (Jefferson)	Headley	Owens (W)	Williams
Crane	Higginbotham	Paulk	Wood
Crawford	Hobbie	Pearson	Wright
Culver	Holman	Pennington	Young
Dobbs	House		—78

And the bill:

H. 804. Relating to counties having populations of not less than 46,000 nor more than 46,500; to provide further for the compensation of certain bailiffs in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Pennington
Agee	Doss	Holman	Perloff
Beck	Downing	House	Pruitt
Berryman (R)	Edington	Jackson (T)	Robertson
Berryman (W)	Ellis	Kilgore	Sessions
Blanton	Fine	Lemley	Shumate
Brannan	Foshee	Lybrand	Smith
Brassell	Gafford	Lyons	Snell
Brown	Garrett	Malone	Springer
Burgreen	Gloor	Marr	Steagall
Cameron	Grainger	Mays	Stembridge
Collier	Grayson	McCorquodale	Tuck
Collins (C)	Hain	Meade	Turnham
Collins (W)	Hardin	Merrill	Waggoner
Cook (Coffee)	Harper	Neville	Watkins
Cook (Jefferson)	Harris	Owen (Baldwin)	Williams
Crane	Haygood	Owens (W)	Wood
Crawford	Headley	Paulk	Wright
Culver	Higginbotham	Pearson	Young
			—76

And the bill:

H. 815. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Paulk
Agee	Downing	House	Pearson
Beck	Drake	Jackson (F)	Pennington
Berryman (R)	Edington	Jackson (T)	Perloff
Berryman (W)	Ellis	Kilgore	Pruitt
Blanton	Fine	Lemley	Robertson
Brannan	Foshee	Lybrand	Sessions
Brassell	Gafford	Lyons	Shumate
Brown	Garrett	Malone	Smith
Burgreen	Gloor	Marr	Snell
Cameron	Grainger	Mays	Steagall
Collier	Grayson	McCorquodale	Tuck
Collins (C)	Hain	McDonald	Turnham
Collins (W)	Hardin	Meade	Waggoner
Cook (Coffee)	Harper	Melton	Watkins
Cook (Jefferson)	Harris	Merrill	Williams
Crane	Haygood	Neville	Wood
Crawford	Headley	Owen (Baldwin)	Wright
Culver	Higginbotham	Owens (W)	Young
Dobbs	Hobbie		—78

And the bill:

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Paulk
Agee	Downing	Holman	Pearson
Beck	Drake	House	Pennington
Berryman (R)	Edington	Jackson (F)	Perloff
Berryman (W)	Ellis	Jackson (T)	Pruitt
Blanton	Fine	Kilgore	Robertson
Bowers	Foshee	Lemley	Sessions
Brannan	Gafford	Lybrand	Shumate
Brassell	Garrett	Lyons	Smith
Brown	Gloor	Malone	Snell
Burgreen	Grainger	Marr	Steagall
Cameron	Grayson	Mays	Stembridge
Collier	Hain	McCorquodale	Tuck
Collins (C)	Hardin	Meade	Turnham
Collins (W)	Harper	Melton	Waggoner
Cook (Coffee)	Harris	Merrill	Williams
Cook (Jefferson)	Haygood	Neville	Wright
Crane	Headley	Owen (Baldwin)	Young
Crawford	Higginbotham	Owens (W)	

—75

And the bill:

H. 828. To authorize and provide for the establishment, maintenance, operation, and financing of a public law library in Dale County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Paulk
Agee	Dobbs	Holman	Pearson
Beck	Downing	House	Pennington
Berryman (R)	Drake	Jackson (T)	Perloff
Berryman (W)	Edington	Kilgore	Pruitt
Blanton	Ellis	Lemley	Robertson
Bowers	Fine	Lybrand	Sessions
Brannan	Foshee	Lyons	Smith
Brassell	Gafford	Marr	Snell
Brown	Garrett	Mays	Steagall
Burgreen	Gloor	McCorquodale	Stembridge
Cameron	Grainger	McDonald	Tuck
Collier	Grayson	Meade	Turnham
Collins (C)	Hain	Melton	Waggoner
Collins (W)	Hardin	Merrill	Watkins
Cook (Coffee)	Harper	Neville	Williams
Cook (Jefferson)	Harris	Owen (Baldwin)	Wright
Crane	Headley	Owens (W)	Young
Crawford	Higginbotham		

—74

And the bill:

H. 829. To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Was taken up.

Mr. Stubbs offered the following amendment to the bill, H. 829:

Insert immediately after Section 2 the following additional section:

Section 3. Regardless of the result of the referendum provided for hereinabove and whether the county superintendent of education is elected or appointed by the county board of education, to be eligible to the office of county superintendent of education of Shelby County a person must hold a master's degree from an accredited college or university and a valid Alabama Superintendent-Principal certificate, based upon requirements established by the state board of education and must also submit proof to the state superintendent of education of five years of successful educational experience as teacher, principal, supervisor, superintendent, educational administrator or instructor in school administration during the five years next preceding his election or appointment.

Also, renumber the sections following this insertion accordingly.

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Paulk
Agee	Downing	House	Pearson
Bassett	Drake	Jackson (F)	Perloff
Berryman (R)	Edington	Jackson (T)	Pruitt
Berryman (W)	Ellis	Kilgore	Robertson
Blanton	Fine	Lemley	Sessions
Brannan	Foshee	Lybrand	Smith
Brassell	Gafford	Lyons	Snell
Brown	Garrett	Malone	Springer
Burgreen	Gloor	Marr	Steagall
Cameron	Grainger	Mays	Stembridge
Cherner	Grayson	McCorquodale	Tuck
Collier	Hain	Meade	Turnham
Collins (C)	Hardin	Melton	Waggoner
Collins (W)	Harper	Merrill	Watkins
Cook (Coffee)	Harris	Neville	Williams
Cook (Jefferson)	Headley	Owen (Baldwin)	Wright
Crane	Higginbotham	Owens (W)	Young
Culver	Hobbie		

—74

And the bill, H. 829, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Dill	Gloor
Agee	Cameron	Dobbs	Grainger
Bassett	Cherner	Downing	Grayson
Beck	Collier	Drake	Hain
Berryman (R)	Collins (C)	Edington	Hardin
Berryman (W)	Collins (W)	Ellis	Harper
Blanton	Cook (Coffee)	Fine	Harris
Brannan	Crane	Foshee	Headley
Brassell	Crawford	Gafford	Higginbotham
Brown	Culver	Garrett	Hobbie

Holman	Mays	Paulk	Steagall
House	McCorquodale	Pearson	Stembridge
Jackson (F)	McElhaney	Perloff	Tuck
Jackson (T)	Meade	Robertson	Turnham
Kilgore	Melton	Sessions	Waggoner
Lemley	Merrill	Shumate	Watkins
Lyons	Neville	Smith	Williams
Malone	Owen (Baldwin)	Snell	Wright
Marr	Owens (W)	Starnes	Young

—76

And the bill:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Paulk
Adwell	Culver	Hobbie	Pearson
Agee	Dill	Holman	Perloff
Berryman (R)	Dobbs	Jackson (F)	Pruitt
Berryman (W)	Downing	Jackson (T)	Sessions
Blanton	Drake	Kilgore	Shumate
Bowers	Edington	Lemley	Snell
Brannan	Ellis	Lybrand	Springer
Brassell	Foshee	Lyons	Starnes
Brown	Gafford	Malone	Steagall
Burgreen	Garrett	Marr	Stembridge
Cameron	Gloor	Mays	Tuck
Cherner	Grainger	McCorquodale	Turnham
Collier	Grayson	Meade	Waggoner
Collins (C)	Hain	Melton	Watkins
Collins (W)	Hardin	Merrill	Williams
Cook (Coffee)	Harper	Neville	Wright
Cook (Jefferson)	Harris	Owen (Baldwin)	Young
Crane	Headley	Owens (W)	

—75

And the bill:

S. 173. Relating to all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census, providing expense allowances for the chairman and members of the board of revenue, court of county commissioners or other like county governing body in such counties; repealing conflicting laws.

Was taken up.

On motion of Mr. Mays, the bill, S. 173, was indefinitely postponed.

And the bill:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

Was read a third time at length and passed.

Yeas 81; Nay 1.

Yeas:

Mr. Speaker	Culver	Higginbotham	Owen (Baldwin)
Adwell	Dill	Hobbie	Owens (W)
Agee	Dobbs	Holman	Paulk
Bassett	Doss	House	Pearson
Beck	Downing	Jackson (F)	Perloff
Berryman (R)	Drake	Jackson (T)	Pruitt
Berryman (W)	Edington	Kilgore	Robertson
Blanton	Ellis	Lemley	Sessions
Brannan	Fine	Lybrand	Shumate
Brassell	Foshee	Lyons	Snell
Burgess	Gafford	Malone	Starnes
Burgreen	Garrett	Marr	Steagall
Cameron	Gloor	Mathews	Stembridge
Cherner	Grainger	Mays	Tuck
Collier	Grayson	McCorquodale	Turnham
Collins (C)	Hain	McLain	Waggoner
Collins (W)	Hardin	Melton	Williams
Cook (Coffee)	Harper	Merrill	Wood
Cook (Jefferson)	Harris	Nettles	Wright
Crane	Headley	Neville	Young
Crawford			—81

Nay: Mr. Meade —1

And the bill:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Crane	Higginbotham	Owen (Baldwin)
Adwell	Crawford	Hobbie	Owens (W)
Agee	Dill	Holman	Paulk
Bassett	Dobbs	House	Pearson
Beck	Doss	Jackson (F)	Perloff
Berryman (R)	Downing	Jackson (T)	Pruitt
Berryman (W)	Drake	Lemley	Robertson
Blanton	Ellis	Lybrand	Shumate
Brannan	Fine	Malone	Smith
Brassell	Foshee	Marr	Snell
Burgess	Gafford	Mathews	Starnes
Burgreen	Gloor	Mays	Steagall
Cameron	Grainger	McCorquodale	Stembridge
Cherner	Grayson	McLain	Tuck
Collier	Hain	Meade	Turnham
Collins (C)	Hardin	Melton	Williams
Collins (W)	Harper	Merrill	Wood
Cook (Coffee)	Harris	Nettles	Wright
Cook (Jefferson)	Headley	Neville	Young
			—76

And the bill:

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Owen (Baldwin)
Adwell	Dill	Hobbie	Owens (W)
Agee	Dobbs	Holman	Paulk
Bassett	Doss	House	Pearson
Beck	Downing	Jackson (F)	Perloff
Berryman (R)	Drake	Jackson (T)	Robertson
Berryman (W)	Edington	Lemley	Sessions
Blanton	Ellis	Lybrand	Shumate
Brannan	Fine	Lyons	Smith
Brassell	Foshee	Malone	Snell
Burgess	Gafford	Marr	Starnes
Burgreen	Garrett	Mathews	Steagall
Cameron	Gloor	Mays	Tuck
Cherner	Grainger	McCorquodale	Turnham
Collier	Grayson	McLain	Waggoner
Collins (C)	Hain	Meade	Williams
Collins (W)	Hardin	Melton	Wood
Cook (Coffee)	Harper	Merrill	Wright
Cook (Jefferson)	Harris	Nettles	Yeilding
Crane	Headley	Neville	Young

—80

And the bill:

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Pearson
Adwell	Dill	Hobbie	Perloff
Agee	Dobbs	Holman	Pruitt
Bassett	Doss	House	Robertson
Beck	Downing	Jackson (F)	Sessions
Berryman (R)	Drake	Jackson (T)	Shumate
Berryman (W)	Edington	Jones	Smith
Blanton	Ellis	Kilgore	Snell
Brannan	Fine	Lemley	Starnes
Brassell	Foshee	Lybrand	Steagall
Burgess	Gafford	Mathews	Stembridge
Burgreen	Garrett	Mays	Tuck
Cameron	Gloor	McLain	Turnham
Cherner	Grainger	Meade	Watkins
Collier	Grayson	Merrill	Williams
Collins (C)	Hain	Nettles	Wood
Collins (W)	Hardin	Neville	Wright
Cook (Coffee)	Harper	Owen (Baldwin)	Yeilding
Cook (Jefferson)	Harris	Owens (W)	Young
Crane	Headley	Paulk	

—79

And the bill:

S. 409. Relating to counties having a population of not less than

15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (F)	Paulk
Agee	Downing	Jackson (T)	Pearson
Bassett	Drake	Jones	Perloff
Berryman (R)	Edington	Kilgore	Pruitt
Berryman (W)	Fine	Lemley	Sessions
Blanton	Foshee	Lybrand	Shumate
Brannan	Gafford	Lyons	Smith
Brassell	Garrett	Malone	Snell
Burgess	Gloor	Marr	Starnes
Burgreen	Grainger	Mathews	Steagall
Cameron	Grayson	Mays	Tuck
Cherner	Hain	McCorquodale	Turnham
Collier	Hardin	Meade	Waggoner
Collins (C)	Harper	Melton	Williams
Collins (W)	Harris	Merrill	Wood
Cook (Jefferson)	Headley	Nettles	Wright
Crane	Higginbotham	Neville	Yeilding
Crawford	Hobbie	Owen (Baldwin)	Young
Dill	Holman		

—78

And the bill:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Crawford	Holladay	Owens (W)
Adwell	Dobbs	Holman	Paulk
Agee	Doss	House	Pearson
Bassett	Downing	Jackson (F)	Perloff
Beck	Drake	Jackson (T)	Pruitt
Berryman (R)	Edington	Jones	Robertson
Berryman (W)	Fine	Kilgore	Sessions
Blanton	Foshee	Lemley	Shumate
Brannan	Gafford	Lyons	Smith
Brassell	Garrett	Malone	Snell
Burgess	Gloor	Marr	Starnes
Burgreen	Grainger	Mathews	Steagall
Cameron	Grayson	Mays	Tuck
Cherner	Hain	McCorquodale	Turnham
Collier	Hardin	Meade	Waggoner
Collins (C)	Harper	Melton	Williams
Collins (W)	Harris	Merrill	Wood
Cook (Coffee)	Headley	Nettles	Wright
Cook (Jefferson)	Higginbotham	Neville	Yeilding
Crane	Hobbie	Owen (Baldwin)	Young

—80

And the bill:

S. 424. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Paulk
Adwell	Dobbs	House	Pearson
Agee	Doss	Jackson (F)	Perloff
Bassett	Downing	Jackson (T)	Pruitt
Beck	Drake	Jones	Robertson
Berryman (R)	Edington	Kilgore	Sessions
Berryman (W)	Fine	Lemley	Shumate
Blanton	Foshee	Lyons	Smith
Brannan	Gafford	Malone	Snell
Brassell	Garrett	Marr	Starnes
Burgess	Gloor	Mathews	Steagall
Burgreen	Grainger	Mays	Stembridge
Cameron	Grayson	McCorquodale	Tuck
Cherner	Hardin	Meade	Waggoner
Collier	Harper	Melton	Williams
Collins (C)	Harris	Merrill	Wood
Collins (W)	Headley	Nettles	Wright
Cook (Coffee)	Higginbotham	Neville	Yeilding
Crane	Hobbie	Owen (Baldwin)	Young
Crawford	Holladay	Owens (W)	—79

And the bill:

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cameron	Edington	Headley
Adwell	Cherner	Fine	Higginbotham
Agee	Collier	Foshee	Hobbie
Bassett	Collins (W)	Gafford	Holladay
Beck	Cook (Coffee)	Garrett	House
Berryman (R)	Crane	Gloor	Jackson (F)
Berryman (W)	Crawford	Grainger	Jackson (T)
Blanton	Dill	Grayson	Jones
Brannan	Dobbs	Hain	Kilgore
Brassell	Doss	Hardin	Lemley
Burgess	Downing	Harper	Lybrand
Burgreen	Drake	Harris	Lyons

Malone	Neville	Sessions	Tuck
Marr	Owen (Baldwin)	Shumate	Turnham
Mathews	Owens (W)	Smith	Waggoner
Mays	Paulk	Snell	Williams
Meade	Pearson	Starnes	Wood
Melton	Perloff	Steagall	Wright
Merrill	Pruitt	Stembridge	Young
Nettles	Robertson		

—78

And the bill:

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Owen (Baldwin)
Adwell	Dobbs	House	Owens (W)
Agee	Doss	Jackson (F)	Paulk
Bassett	Downing	Jackson (T)	Pearson
Beck	Drake	Jones	Perloff
Berryman (R)	Edington	Kilgore	Pruitt
Berryman (W)	Fine	Lemley	Robertson
Brannan	Foshee	Lybrand	Sessions
Brassell	Garrett	Lyons	Shumate
Burgess	Gloor	Malone	Smith
Burgreen	Grainger	Marr	Snell
Cameron	Grayson	Mathews	Starnes
Cherner	Hain	Mays	Steagall
Collier	Hardin	McCorquodale	Stembridge
Collins (C)	Harper	Meade	Tuck
Collins (W)	Harris	Meeks	Turnham
Cook (Coffee)	Headley	Melton	Waggoner
Cook (Jefferson)	Higginbotham	Merrill	Weeks
Crane	Hill	Money	Williams
Crawford	Hobbie	Nettles	Wood
Culver	Holladay	Neville	Wright

—84

And the bill:

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Coffee)	Drake
Adwell	Burgess	Cook (Jefferson)	Edington
Agee	Burgreen	Crane	Fine
Bassett	Cameron	Crawford	Foshee
Beck	Cherner	Dill	Gafford
Berryman (R)	Collier	Dobbs	Garrett
Berryman (W)	Collins (C)	Doss	Gloor
Brannan	Collins (W)	Downing	Grainger

Grayson	Jones	Money	Snell
Hain	Kilgore	Nettles	Springer
Hardin	Lemley	Neville	Starnes
Harper	Lybrand	Owen (Baldwin)	Steagall
Harris	Lyons	Owens (W)	Stembridge
Headley	Malone	Paulk	Tuck
Higginbotham	Marr	Pearson	Turnham
Hill	Mathews	Perloff	Waggoner
Hobbie	Mays	Pruitt	Weeks
Holladay	McCorquodale	Robertson	Williams
Holman	Meade	Sessions	Wood
House	Meeks	Shumate	Wright
Jackson (F)	Melton	Smith	Young
Jackson (T)	Merrill		

—86

And the bill:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Agee	Downing	Jackson (T)	Pearson
Bassett	Drake	Jones	Perloff
Beck	Edington	Kilgore	Pruitt
Berryman (R)	Fine	Lemley	Robertson
Blanton	Foshee	Lybrand	Sessions
Brannan	Gafford	Lyons	Shumate
Brassell	Garrett	Malone	Smith
Burgess	Gloor	Marr	Snell
Burgreen	Grainger	Mathews	Springer
Cameron	Grayson	Mays	Starnes
Cherner	Hain	McCorquodale	Steagall
Collier	Hardin	Meade	Stembridge
Collins (C)	Harper	Meeks	Tuck
Collins (W)	Harris	Melton	Turnham
Cook (Coffee)	Headley	Merrill	Waggoner
Cook (Jefferson)	Higginbotham	Money	Weeks
Crane	Hill	Nettles	Williams
Crawford	Hobbie	Neville	Wood
Dill	Holladay	Owen (Baldwin)	Wright
Dobbs	Holman	Owens (W)	

—83

UNANIMOUS CONSENT GRANTED TO WITHDRAW NAME AS CO-SPONSOR

Unanimous consent was granted to Messrs. House and Jackson (T) to withdraw their names as co-sponsors of the bill, H. 822.

BILLS ON THIRD READING RESUMED

And the bill:

H. 821. To authorize any city of this state having a population of 300,000 or more inhabitants, according to the last or any subsequent federal census to pay hospital bills, doctors' bills, and other medical expenses incurred by any policeman, fireman or other employee of such city or agency thereof in securing treatment of injuries sustained by such policeman, fireman or other employee as a result of and while in the actual performance of his duties as an employee of such city or agency.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W)
Adwell	Downing	Jackson (T)	Paulk
Agee	Edington	Jones	Pearson
Bassett	Fine	Kilgore	Perloff
Beck	Foshee	Lemley	Pruitt
Berryman (R)	Gafford	Lybrand	Robertson
Blanton	Garrett	Malone	Sessions
Brannan	Gloor	Marr	Shumate
Brassell	Grainger	Mathews	Snell
Burgreen	Grayson	Mays	Springer
Cameron	Hain	McCorquodale	Starnes
Cherner	Hardin	McDonald	Steagall
Collier	Harper	Meade	Stubbs
Collins (C)	Harris	Meeks	Tuck
Collins (W)	Headley	Melton	Waggoner
Cook (Coffee)	Higginbotham	Merrill	Weeks
Crane	Hill	Money	Williams
Crawford	Hobbie	Nettles	Wood
Culver	Holman	Neville	Wright
Dill	House	Owen (Baldwin)	Young
Dobbs			

—81

And the bill:

H. 820. To further amend Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125) as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as amended by Act No. 680 of the 1961 Regular Session approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 2.

Yeas:

Mr. Speaker	Downing	Jones	Paulk	
Agee	Drake	Kilgore	Pearson	
Bassett	Ellis	Lemley	Perloff	
Beck	Foshee	Lybrand	Pruitt	
Berryman (R)	Garrett	Lyons	Robertson	
Blanton	Gloor	Malone	Sessions	
Bowers	Grainger	Marr	Shumate	
Brannan	Grayson	Mathews	Snell	
Brassell	Hain	Mays	Steagall	
Burgess	Hardin	McCorquodale	Stembridge	
Burgreen	Harper	McLain	Stubbs	
Cameron	Harris	Meade	Tuck	
Cherner	Headley	Meeks	Turnham	
Collier	Higginbotham	Melton	Watkins	
Collins (W)	Hill	Merrill	Weeks	
Cook (Jefferson)	Hobbie	Money	Williams	
Crawford	Holladay	Nettles	Wood	
Culver	Holman	Neville	Wright	
Dobbs	Jackson (F)	Owen (Baldwin)	Young	
Doss	Jackson (T)	Owens (W)		—79

Nays: Messrs. Dill and Gafford —2

And the bill:

H. 696. To provide for an exemption from ad valorem taxation of the property owned by the Mobile Carnival Association and parading organizations affiliated with it.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk	
Agee	Drake	Jones	Pearson	
Bassett	Edington	Kilgore	Perloff	
Beck	Ellis	Lemley	Pruitt	
Berryman (R)	Fine	Lybrand	Robertson	
Blanton	Foshee	Malone	Shumate	
Brannan	Gafford	Marr	Smith	
Brassell	Gloor	Mays	Snell	
Burgess	Grainger	McCorquodale	Steagall	
Burgreen	Grayson	McDonald	Stembridge	
Cameron	Hain	McLain	Tuck	
Cherner	Hardin	Meade	Turnham	
Collier	Harper	Melton	Waggoner	
Collins (C)	Harris	Merrill	Weeks	
Collins (W)	Headley	Money	Williams	
Cook (Coffee)	Hobbie	Nettles	Wood	
Crawford	Holladay	Neville	Wright	
Culver	Holman	Owen (Baldwin)	Young	
Dobbs	Jackson (F)	Owens (W)		—75

And the bill:

H. 810. To create a mosquito abatement district in any two contiguous counties of this state having a combined population of not less

than 360,000 nor more than 600,000, according to the most recent federal decennial census, for the purpose of controlling and abating mosquitoes and other vectors; to provide a mosquito control board for administrative purposes and to prescribe its authority; to provide for the appointment, number and terms of its members; to authorize the governing bodies of any county, city or town within the district to appropriate public funds for the purposes of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bassett	Drake	Jackson (T)	Paulk
Beck	Edington	Jones	Pearson
Berryman (R)	Ellis	Kilgore	Perloff
Blanton	Fine	Lemley	Pruitt
Brannan	Foshee	Lybrand	Robertson
Brassell	Gafford	Malone	Sessions
Burgess	Garrett	Marr	Shumate
Burgreen	Gloor	Mathews	Smith
Cameron	Grainger	Mays	Snell
Cherner	Grayson	McCorquodale	Steagall
Collier	Hain	McLain	Stembridge
Collins (C)	Hardin	Meade	Stubbs
Collins (W)	Harper	Meeks	Tuck
Cook (Coffee)	Harris	Melton	Waggoner
Crawford	Headley	Merrill	Williams
Culver	Higginbotham	Money	Wood
Dill	Hobbie	Nettles	Wright
Dobbs	Holladay	Neville	Young

—80

And the bill:

S. 402 (with amendment). To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 160,000 nor more than 300,000 inhabitants according to the 1960 Federal Census or any subsequent regular decennial Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum not exceeding Two Thousand Four Hundred and NO/100 (2,400.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 4, said Committee amendment being as follows:

Amend Senate Bill No. 402 as follows:

In caption:

Line 3—delete the figure "160,000" and insert in lieu thereof the figure "150,000"

Line 4—delete the words "or any subsequent regular decennial Federal Census"

Lines 12 and 13—delete the words "Two Thousand Four Hundred and No/100 (2,400.00)" and insert in lieu thereof the words "Three Thousand and No/100 (3,000.00)"

In Section 1:

Line 3—delete the figure "160,000" and insert in lieu thereof the figure "150,000"

In Section 2:

Line 3—delete the figure "160,000" and insert in lieu thereof the figure "150,000"

Lines 3 and 4—delete the words "or any subsequent regular decennial Federal Census"

Lines 7 and 8—delete the words "Two Thousand Four Hundred and No/100 (2,400.00)" and insert in lieu thereof the words "Three Thousand and No/100 (3,000.00)"

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Nettles
Adwell	Doss	Jackson (F)	Neville
Agee	Downing	Jackson (T)	Owen (Baldwin)
Bassett	Drake	Jones	Owens (W)
Beck	Edington	Kilgore	Paulk
Berryman (R)	Ellis	Lemley	Perloff
Berryman (W)	Fine	Lybrand	Pruitt
Blanton	Gafford	Lyons	Shumate
Brannan	Garrett	Malone	Snell
Brassell	Gloor	Marr	Steagall
Burgreen	Grainger	Mathews	Stembridge
Cameron	Grayson	Mays	Stubbs
Cherner	Hain	McCorquodale	Tuck
Collier	Hardin	McDonald	Waggoner
Collins (C)	Harper	McLain	Weeks
Collins (W)	Harris	Meade	Williams
Cook (Coffee)	Headley	Meeks	Wood
Crawford	Higginbotham	Melton	Wright
Culver	Hobbie	Merrill	Young
Dill	Holladay	Money	—79

Mr. Springer offered the following amendment to the bill, S. 402, as thus amended:

Amend Senate Bill 402 as follows:

In the caption, delete the words "not exceeding" in their entirety wherever same appears, and substitute in lieu thereof the word "of".

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Neville
Adwell	Doss	Jackson (F)	Owen (Baldwin)
Agee	Downing	Jackson (T)	Owens (W)
Bassett	Drake	Jones	Paulk
Beck	Edington	Kilgore	Pearson
Berryman (R)	Ellis	Lemley	Perloff
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Foshee	Lyons	Shumate
Brannan	Gafford	Malone	Snell
Brassell	Garrett	Marr	Steagall
Burgess	Grainger	Mathews	Stembridge
Burgreen	Grayson	Mays	Stubbs
Cameron	Hain	McCorquodale	Tuck
Cherner	Hardin	McLain	Waggoner
Collier	Harper	Meade	Weeks
Collins (C)	Harris	Meeks	Williams
Collins (W)	Headley	Melton	Wood
Cook (Coffee)	Higginbotham	Merrill	Wright
Crawford	Hobbie	Money	Young
Culver	Holladay	Nettles	

—79

And the bill, as thus amended, was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Neville
Agee	Downing	Jackson (F)	Owen (Baldwin)
Bassett	Drake	Jackson (T)	Owens (W)
Beck	Edington	Jones	Paulk
Berryman (R)	Ellis	Kilgore	Pearson
Blanton	Fine	Lemley	Perloff
Brannan	Foshee	Lybrand	Robertson
Brassell	Gafford	Lyons	Shumate
Burgess	Garrett	Malone	Smith
Burgreen	Grainger	Marr	Snell
Cameron	Grayson	Mathews	Steagall
Cherner	Hain	Mays	Stembridge
Collier	Hardin	McCorquodale	Tuck
Collins (C)	Harper	Meade	Weeks
Collins (W)	Harris	Meeks	Williams
Cook (Coffee)	Headley	Melton	Wood
Crawford	Higginbotham	Merrill	Wright
Culver	Hobbie	Money	Young
Dobbs	Holladay	Nettles	

—75

And the bill:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Was read a third time at length and passed.

Yeas 80; Nay 1.

Yeas:

Mr. Speaker	Doss	Kilgore	Pearson
Adwell	Downing	Lemley	Pennington
Agee	Drake	Lybrand	Perloff
Bassett	Edington	Lyons	Robertson
Beck	Ellis	Malone	Sessions
Berryman (R)	Fine	Mathews	Shumate
Blanton	Foshee	Mays	Smith
Brannan	Garrett	McCorquodale	Snell
Brassell	Gloor	McElhaney	Springer
Burgess	Grayson	McLain	Starnes
Cameron	Hain	Meade	Steagall
Collier	Harper	Meeks	Stembridge
Collins (C)	Harris	Melton	Stubbs
Collins (W)	Headley	Merrill	Tuck
Cook (Coffee)	Higginbotham	Money	Turnham
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Culver	House	Owen (Baldwin)	Wright
Dill	Jackson (F)	Owens (W)	Yeilding
Dobbs	Jones	Paulk	Young

—80

Nay: Mr. Marr —1

And the bill:

H. 404. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Was taken up.

On motion of Mr. Cameron, the bill, H. 404 was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate accedes to the request of the House for the return of the Bill, S. B. 186, for further consideration, and said Bill is herewith returned to the House.

McDOWELL LEE,
Secretary.

On motion of Mr. Holladay, the rules were suspended, and the bill:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Was taken up for reconsideration.

Mr. Holladay offered the following substitute to the bill, S. 186:

AN ACT

To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000; and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed:

PROPOSED AMENDMENT

"Any provision of the Constitution of Alabama or amendments thereto to the contrary notwithstanding, the legislature may by appropriate laws authorize the state to engage in works of internal improvement by fulfilling the requirements of local contribution, participation and cooperation now or hereafter estalished by the United States in connection with the construction and maintenance of a navigable waterway (herein called "the waterway") between Montgomery and Gadsden and to the Alabama-Georgia boundary.

The legislature may by appropriate laws authorize the state to become indebted, and in evidence of such indebtedness, to sell and issue its interest-bearing bonds, in an aggregate principal amount not exceeding $10,000,000, for the purpose of enabling the state to discharge obligations at any time authorized by the legislature to be undertaken in connection with the waterway project; provided, that the expenses incurred in connection with the sale and issuance of the bonds may also be paid from the proceeds thereof. Bonds evidencing the herein provided for indebtedness may be issued as direct general obligations of the state, and the state may pledge its full faith and credit to the prompt payment of the principal of the bonds and the interest thereon. The herein provided for indebtedness shall not be construed to prohibit or limit appropriations from the general fund of the state which from time to time may be made for the purpose of enabling the state to discharge obligations at any time authorized by the legislature to be undertaken in connection with the waterway project.

The legislature may by appropriate laws establish a public corporation and may confer upon it, in addition to all other necessary powers, full power to undertake the obligations that the state is permitted under the foregoing provisions of this amendment to undertake in connection with the waterway project. The legislature may from time to time appropriate money from the general fund of the state to be expanded by such public corporation and may also authorize the herein provided for general obligation bonds of the state to be sold from time to time under the supervision of such public corporation; provided, that all moneys received by such public corporation from the state, whether as appropriations from the state's general fund or as proceeds of the sale of the state's bonds, shall be expended, except for reasonable administrative expenses, in discharging obligations that the state is permitted under the foregoing provisions of this amendment to undertake in connection with the waterway project, and shall have directed such public corporation to undertake in its stead.

Nothing herein shall authorize the legislature to establish any such public corporation to acquire by purchase, license, lease, condemnation or otherwise a hydroelectric project (or any part thereof) heretofore or hereafter licensed by the Federal Power Commission under the Federal Power Act of June 10, 1920, Public Law No. 280, 66th Congress, 2nd Session, and amendments thereto, or any such project (or any part thereof) otherwise authorized by act of Congress.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940, as amended.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each court house and post office."

And the substitute was adopted.

Yeas 82; Nays 3.

Yeas:

Mr. Speaker	Dobbs	House	Pennington
Agee	Doss	Jackson (F)	Perloff
Bassett	Downing	Jones	Pruitt
Beck	Drake	Lemley	Sessions
Berryman (R)	Edington	Lybrand	Shumate
Berryman (W)	Ellis	Lyons	Smith
Blanton	Fine	Malone	Snell
Bolton	Foshee	Marr	Springer
Brannan	Garrett	Mays	Starnes
Brassell	Grainger	McCorquodale	Steagall
Burgess	Grayson	Meade	Stembridge
Burgreen	Hain	Meeks	Stubbs
Collier	Hardin	Melton	Tuck
Collins (C)	Harper	Merrill	Turnham
Collins (W)	Harris	Money	Waggoner
Cook (Coffee)	Headley	Nettles	Williams
Cook (Jefferson)	Higginbotham	Neville	Wood
Crane	Hill	Owen (Baldwin)	Wright
Crawford	Hobbie	Owens (W)	Yeilding
Culver	Holladay	Paulk	Young
Dill	Holman		—82

Nays: Messrs. Cherner, Gafford and Jackson (T) —3

And the bill, S. 186, as thus amended, was read a third time at length and passed.

Yeas 79; Nays 4.

Yeas:

Mr. Speaker	Blanton	Burgreen	Culver
Agee	Bolton	Collier	Dill
Bassett	Brannan	Collins (C)	Dobbs
Beck	Brassell	Collins (W)	Doss
Berryman (R)	Brown	Cook (Coffee)	Downing
Berryman (W)	Burgess	Crawford	Drake

Edington	Hobbie	Meeks	Snell	
Ellis	Holladay	Melton	Springer	
Fine	Holman	Merrill	Starnes	
Foshee	House	Money	Steagall	
Garrett	Jackson (F)	Nettles	Stembridge	
Grainger	Jones	Neville	Stubbs	
Grayson	Lemley	Owen (Baldwin)	Tuck	
Hain	Lybrand	Owens (W)	Turnham	
Hardin	Lyons	Paulk	Waggoner	
Harper	Malone	Perloff	Williams	
Harris	Marr	Pruitt	Wood	
Headley	Mays	Sessions	Wright	
Higginbotham	McCorquodale	Shumate	Young	
Hill	Meade	Smith		—79

Nays: Messrs. Adwell, Cherner, Gafford and Gloor —4

And the bill:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Was read a third time at length and passed.

Yeas 86; Nay 1.

Yeas:

Mr. Speaker	Culver	Jones	Paulk	
Adwell	Dill	Kilgore	Pearson	
Agee	Dobbs	Lemley	Pennington	
Bassett	Downing	Lybrand	Perloff	
Beck	Edington	Lyons	Pruitt	
Berryman (R)	Ellis	Malone	Robertson	
Berryman (W)	Fine	Marr	Shumate	
Blanton	Foshee	Mays	Snell	
Bolton	Gafford	McCorquodale	Springer	
Bowers	Gloor	McDonald	Starnes	
Brannan	Grainger	McElhaney	Steagall	
Brassell	Grayson	Meade	Stembridge	
Brown	Hain	Meeks	Stubbs	
Burgess	Hardin	Melton	Tuck	
Burgreen	Harper	Merrill	Turnham	
Cherner	Harris	Money	Waggoner	
Collier	Higginbotham	Nettles	Williams	
Collins (C)	Hill	Neville	Wood	
Collins (W)	Hobbie	Owen (Baldwin)	Wright	
Cook (Coffee)	Holman	Owens (W)	Yeilding	
Cook (Jefferson)	House	Owens (W.E.)	Young	
Crawford	Jackson (F)			—86

Nay: Mr. Garrett —1

And the bill:

H. 441. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Was taken up.

On motion of Mr. McCorquodale, the bill, H. 441, was indefinitely postponed.

And the bill:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W.E.)
Agee	Doss	Jackson (T)	Paulk
Bassett	Downing	Jones	Pearson
Beck	Drake	Kilgore	Pennington
Berryman (R)	Edington	Lemley	Perloff
Berryman (W)	Ellis	Lybrand	Pruitt
Blanton	Fine	Lyons	Robertson
Bolton	Foshee	Malone	Shumate
Bowers	Gafford	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Grainger	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Burgess	Hain	McDonald	Steagall
Burgreen	Hardin	McElhaney	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Meeks	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Weeks
Cook (Coffee)	Higginbotham	Money	Williams
Cook (Jefferson)	Hill	Nettles	Wood
Crane	Hobbie	Neville	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young

—92

And the bill:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties.

Was taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Blanton that the House adjourn until Thursday, July 10, 1969, at 10 o'clock A. M., was lost.

Yeas 25; Nays 65.

Yeas:

Mr. Speaker	Crawford	Lemley	Money
Beck	Drake	Malone	Neville
Berryman (R)	Fine	Mathews	Paulk
Blanton	Garrett	Mays	Stembridge
Brannan	Hain	Meade	Tuck
Brassell	Haygood	Melton	Wood
Collier			

—25

Nays:

Messrs.:	Burgess	Cook (Coffee)	Dobbs
Agee	Cameron	Cook (Jefferson)	Doss
Bassett	Cherner	Crane	Downing
Berryman (W)	Collins (C)	Culver	Edington
Bolton	Collins (W)	Dill	Ellis

Foshee	House	McLain	Snell
Gafford	Jackson (F)	Meeks	Springer
Grainger	Jackson (T)	Merrill	Steagall
Grayson	Jones	Nettles	Stubbs
Hardin	Kilgore	Owens (W)	Turnham
Harris	Laxson	Owens (W.E.)	Waggoner
Headley	Lybrand	Pennington	Watkins
Higginbotham	Lyons	Perloff	Weeks
Hill	Marr	Robertson	Williams
Hobbie	McCorquodale	Sessions	Wright
Holladay	McDonald	Smith	Yeilding
Holman	McElhaney		

—65

H. 342 RESUMED

Mr. McElhaney offered the following amendment to the bill, H. 342:

Strike out the first paragraph in Section 1 and insert in lieu thereof the following:

SECTION 1. ELECTIONS IN CERTAIN MUNICIPALITIES AFTER MAJORITY VOTE IN COUNTY AGAINST SALE OF ALCOHOLIC BEVERAGES—The governing body of any city having a population of not less than 2,000, according to the most recent federal decennial census, located in a county which has voted against the legal sale and distribution of alcoholic beverages shall, upon receipt of a petition bearing the signatures of 25 percent of the voters residing in the city whose names appeared on the next preceding published list of qualified voters, call an election and determine whether or not alcoholic beverages shall, notwithstanding the results of such previous county election and the consequent dry status of the county as a whole, legally be sold and licensed within the corporate limits of the city.

And the amendment was adopted.

Yeas 43; Nays 24.

Yeas:

Messrs.:	Downing	Jones	Neville
Bassett	Ellis	Lemley	Owens (W)
Brannan	Garrett	Lybrand	Owens (W.E.)
Brassell	Grayson	Malone	Perloff
Burgreen	Hardin	Mathews	Robertson
Collins (W)	Harris	McElhaney	Sessions
Cook (Coffee)	Haygood	McLain	Smith
Cook (Jefferson)	Higginbotham	Meade	Springer
Culver	Hill	Meeks	Steagall
Dill	Hobbie	Merrill	Tuck
Dobbs	Jackson (T)	Nettles	Williams

—43

Nays:

Mr. Speaker	Doss	Headley	Money
Beck	Edington	Jackson (F)	Paulk
Berryman (W)	Fine	Marr	Pennington
Collier	Foshee	Mays	Pruitt
Collins (C)	Grainger	McCorquodale	Stubbs
Crawford	Hain	Melton	Yeilding

—24

Mr. Shumate offered the following amendment to the bill, H. 342, as thus amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census.

MOTION TO TABLE LOST

The motion of Mr. McElhaney to table the amendment offered by Mr. Shumate was lost.

Yeas 42; Nays 48.

Yeas:

Messrs.:	Culver	Jackson (T)	Nettles
Adwell	Dill	Kilgore	Owens (W.E.)
Bassett	Downing	Laxson	Perloff
Brassell	Edington	Lybrand	Robertson
Burgreen	Ellis	Lyons	Sessions
Cameron	Hardin	Malone	Springer
Cherner	Harris	Marr	Tuck
Collins (C)	Hill	McElhaney	Weeks
Collins (W)	Hobbie	McLain	Williams
Cook (Coffee)	Holman	Meeks	Wood
Cook (Jefferson)	House	Merrill	—42

Nays:

Mr. Speaker	Drake	Jackson (F)	Pearson
Agee	Fine	Jones	Pennington
Beck	Foshee	Mays	Pruitt
Berryman (R)	Gafford	McCorquodale	Shumate
Berryman (W)	Garrett	McDonald	Starnes
Blanton	Grainger	Meade	Steagall
Brannan	Grayson	Melton	Stembridge
Burgess	Hain	Money	Stubbs
Collier	Harper	Neville	Turnham
Crawford	Haygood	Owen (Baldwin)	Waggoner
Dobbs	Headley	Owens (W)	Watkins
Doss	Higginbotham	Paulk	Wright
			—48

And the amendment offered by Mr. Shumate to the bill, H. 342, was adopted.

Yeas 46; Nays 41.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Owens (W)
Agee	Dobbs	Jackson (F)	Paulk
Beck	Doss	Jones	Pearson
Berryman (R)	Drake	Mathews	Pennington
Berryman (W)	Fine	McDonald	Pruitt
Blanton	Foshee	Meade	Robertson
Brannan	Garrett	Melton	Shumate
Brassell	Grainger	Merrill	Steagall
Burgess	Hain	Money	Stembridge
Burgreen	Harper	Neville	Turnham
Collier	Haygood	Owen (Baldwin)	Watkins
Collins (C)	Headley		—46

Nays:

Messrs.:	Edington	Laxson	Nettles
Adwell	Gloor	Lybrand	Owens (W.E.)
Brown	Grayson	Lyons	Perloff
Cameron	Harris	Malone	Sessions
Cherner	Hill	Marr	Springer
Collins (W)	Hobbie	Mays	Starnes
Cook (Coffee)	Holladay	McCorquodale	Tuck
Cook (Jefferson)	Holman	McElhaney	Weeks
Culver	House	McLain	Williams
Dill	Jackson (T)	Meeks	Wood
Downing	Kilgore		

—41

Mr. Garrett offered the following amendment to the bill, H. 342, as thus amended:

Amend House Bill 342 by exempting counties with a population between 22,350 and 23,000; 17,500 and 17,800; and 18,000 and 18,900.

MOTION TO TABLE LOST

The motion of Mr. McElhaney to table the amendment offered by Mr. Garrett was lost.

Yeas 35; Nays 54.

Yeas:

Messrs.:	Dill	Holman	McLain
Adwell	Downing	House	Meeks
Bassett	Edington	Jackson (T)	Merrill
Burgreen	Gloor	Kilgore	Owens (W.E.)
Cameron	Grayson	Lybrand	Perloff
Collins (C)	Hardin	Malone	Springer
Collins (W)	Harris	Marr	Tuck
Cook (Coffee)	Hill	McCorquodale	Weeks
Culver	Hobbie	McElhaney	Wood

—35

Nays:

Mr. Speaker	Drake	Jones	Pearson
Agee	Ellis	Laxson	Pennington
Beck	Fine	Mathews	Pruitt
Berryman (R)	Foshee	Mays	Robertson
Berryman (W)	Gafford	McDonald	Sessions
Blanton	Garrett	Meade	Shumate
Brannan	Grainger	Melton	Starnes
Brown	Hain	Money	Steagall
Burgess	Harper	Nettles	Stembridge
Cherner	Haygood	Neville	Turnham
Collier	Headley	Owen (Baldwin)	Watkins
Crawford	Higginbotham	Owens (W)	Wright
Dobbs	Holladay	Paulk	Yeilding
Doss	Jackson (F)		

—54

And the amendment offered by Mr. Garrett to the bill, H. 342, was adopted.

Yeas 53; Nays 36.

Yeas:

Mr. Speaker	Doss	House	Owen (Baldwin)
Agee	Drake	Jackson (F)	Owens (W)
Beck	Ellis	Jones	Paulk
Berryman (R)	Fine	Malone	Pearson
Berryman (W)	Foshee	Mathews	Pennington
Blanton	Gafford	Mays	Robertson
Brannan	Garrett	McCorquodale	Shumate
Brassell	Grainger	McDonald	Starnes
Brown	Hain	Meade	Steagall
Burgess	Harper	Melton	Stembridge
Burgreen	Haygood	Merrill	Turnham
Collier	Headley	Money	Wright
Crawford	Higginbotham	Neville	Yeilding
Dobbs			—53

Nays:

Messrs.:	Dill	Holladay	Nettles
Adwell	Downing	Holman	Owens (W.E.)
Bassett	Edington	Jackson (T)	Perloff
Cameron	Gloor	Kilgore	Pruitt
Cherner	Grayson	Lybrand	Sessions
Collins (C)	Hardin	Marr	Springer
Collins (W)	Harris	McElhaney	Tuck
Cook (Coffee)	Hill	McLain	Weeks
Cook (Jefferson)	Hobbie	Meeks	Wood
Culver			—36

MOTION TO ADJOURN LOST

The motion of Mr. Headley that the House adjourn until Thursday, July 10, 1969, at 12 o'clock Noon, was lost.

Yeas 35; Nays 61.

Yeas:

Mr. Speaker	Collier	Haygood	Neville
Beck	Crane	Headley	Owen (Baldwin)
Berryman (R)	Crawford	Kilgore	Paulk
Berryman (W)	Dill	Lemley	Pruitt
Blanton	Doss	Malone	Shumate
Brannan	Drake	Mathews	Steagall
Brassell	Fine	Mays	Stembridge
Brown	Garrett	Melton	Tuck
Burgreen	Hain	Money	—35

Nays:

Messrs.:	Culver	Harris	Marr
Adwell	Dobbs	Higginbotham	McCorquodale
Agee	Downing	Hill	McDonald
Bassett	Edington	Hobbie	McElhaney
Bolton	Ellis	Holladay	McLain
Burgess	Foshee	Holman	Meeks
Cameron	Gafford	House	Merrill
Cherner	Gloor	Jackson (F)	Nettles
Collins (C)	Grainger	Jackson (T)	Owens (W.E.)
Collins (W)	Grayson	Jones	Pearson
Cook (Coffee)	Hardin	Laxson	Pennington
Cook (Jefferson)	Harper	Lybrand	Perloff

Robertson	Springer	Watkins	Wood
Sessions	Starnes	Weeks	Wright
Smith	Turnham	Williams	Yeilding
Snell	Waggoner		—61

MOTION TO RECESS LOST

The motion of Mr. Headley that the House recess for fifteen minutes was lost.

Yeas 48; Nays 48.

Yeas:

Mr. Speaker	Crawford	Jackson (F)	Pruitt
Agee	Dobbs	Jones	Robertson
Beck	Doss	Malone	Shumate
Berryman (R)	Drake	Mays	Smith
Berryman (W)	Ellis	McDonald	Steagall
Blanton	Fine	Melton	Stembridge
Brannan	Foshee	Money	Stubbs
Brassell	Garrett	Neville	Turnham
Brown	Hain	Owen (Baldwin)	Waggoner
Burgess	Harper	Owens (W)	Wright
Burgreen	Haygood	Paulk	Yeilding
Collier	Headley	Pearson	Young
			—48

Nays:

Messrs.:	Downing	Holman	Merrill
Adwell	Edington	Jackson (T)	Nettles
Bassett	Gafford	Kilgore	Owens (W.E.)
Bolton	Gloor	Laxson	Pennington
Cameron	Grainger	Lemley	Perloff
Cherner	Grayson	Lybrand	Sessions
Collins (C)	Hardin	Lyons	Springer
Collins (W)	Harris	Marr	Starnes
Cook (Coffee)	Higginbotham	McCorquodale	Tuck
Cook (Jefferson)	Hill	McElhaney	Weeks
Crane	Hobbie	McLain	Williams
Culver	Holladay	Meeks	Wood
Dill			—48

MOTION TO RECESS LOST

The motion of Mr. Stubbs that the House recess for ten minutes was lost.

Yeas 46; Nays 47.

Yeas:

Mr. Speaker	Crawford	Mays	Robertson
Agee	Dobbs	McDonald	Shumate
Beck	Doss	Meade	Smith
Berryman (R)	Ellis	Melton	Steagall
Berryman (W)	Fine	Money	Stembridge
Blanton	Foshee	Neville	Tuck
Brannan	Hain	Owen (Baldwin)	Turnham
Brassell	Harper	Owens (W)	Waggoner
Brown	Haygood	Paulk	Wright
Burgess	Headley	Pearson	Yeilding
Burgreen	Jackson (F)	Pruitt	Young
Collier	Jones		—46

Nays:

Messrs.:	Downing	Jackson (T)	Merrill
Adwell	Edington	Kilgore	Nettles
Bassett	Gafford	Laxson	Owens (W.E.)
Cameron	Gloor	Lemley	Pennington
Cherner	Grainger	Lybrand	Perloff
Collins (C)	Grayson	Lyons	Sessions
Collins (W)	Hardin	Malone	Springer
Cook (Coffee)	Harris	Marr	Starnes
Cook (Jefferson)	Higginbotham	McCorquodale	Watkins
Crane	Hill	McElhaney	Weeks
Culver	Hobbie	McLain	Williams
Dill	Holman	Meeks	Wood

—47

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 303. To amend Act No. 403 adopted at the 1967 Regular Session of the Legislature of Alabama relating to the establishment in the City of Montgomery of a college or branch of Auburn University and the issuance of bonds therefor by Alabama Public School and College Authority so as to provide that the said college or branch may be located in either or both the said city and in its police jurisdiction, and that the net proceeds from the sale of the bonds authorized in the said Act No. 403 may be used for the acquisition as well as the construction and equipment of physical facilities, so as to eliminate from the said act the provisions permitting the use of a portion of the proceeds from the said bonds for support and maintenance of the said college or branch, so as to clarify the provisions of the said act which have the effect of incorporating therein by reference Act No. 243 adopted at the First Special Session of 1965 of the Legislature, and so as to make the said incorporation by reference applicable to the said Act No. 243 as amended by an act adopted at the 1969 Regular Session of the Legislature.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 741. To provide for the expenses of members of the Boards of Education in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to limit such payment to $50.00 per month.

Also:

H. 742. To provide for certain court reporters in counties having a population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for their appointment and compensation.

Also:

H. 743. To provide for the expense of judges of certain courts in counties with population of not less than 20,100 nor more than 21,850 according to the last federal decennial census and to provide for an effective date and an expiration date for this Act: and to repeal all laws in conflict therewith.

Also:

H. 13. To amend Act No. 239, H. 220, Regular Session 1967 (Acts of 1967, p. 615), which creates a board of trustees to manage and control Jacksonville State University, and divests the state department of education of jurisdiction, power and authority with respect to the supervision, management and control of such university, so as to provide further for the annual meeting of said board of trustees.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Doss, the House recessed at 3 o'clock P. M., for fifteen minutes.

Yeas 51; Nays 44.

Yeas:

Mr. Speaker	Collier	Haygood	Owen (Baldwin)
Agee	Crawford	Headley	Owens (W)
Bassett	Dobbs	Holladay	Paulk
Beck	Doss	House	Pruitt
Berryman (R)	Drake	Jackson (F)	Robertson
Berryman (W)	Ellis	Jones	Shumate
Blanton	Fine	Laxson	Steagall
Bolton	Foshee	Mays	Stembridge
Brannan	Garrett	McDonald	Tuck
Brassell	Hain	Meade	Turnham
Brown	Hardin	Melton	Wright
Burgess	Harper	Money	Yeilding
Burgreen	Harris	Neville	—51

Nays:

Messrs.:	Collins (C)	Culver	Gafford
Adwell	Collins (W)	Dill	Gloor
Cameron	Cook (Coffee)	Downing	Grainger
Cherner	Cook (Jefferson)	Edington	Grayson

Higginbotham	Lyons	Merrill	Springer
Hill	Malone	Nettles	Starnes
Hobbie	Marr	Owens (W.E.)	Watkins
Holman	McCorquodale	Pearson	Weeks
Jackson (T)	McElhaney	Pennington	Williams
Kilgore	McLain	Perloff	Wood
Lemley	Meeks	Sessions	Young
Lybrand			

—44

HOUSE RECONVENES

The hour of 3:15 P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 36. WHEREAS, the Alabama Division of Standard Oil Company, under the guidance of Mr. J. C. Barry, Division Sales Manager, has produced a film entitled "Scenic Alabama, Heart of Dixie", with the intention of attracting both industry and tourism to Alabama; and

WHEREAS, the Legislature commends worthy efforts such as this to tell the story of Alabama which will attract the attention it so justly deserves; now, therefore,

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that both houses of the Legislature recess at 1:30 P. M. on July 15 for the purpose of viewing the film, "Scenic Alabama, Heart of Dixie", in the Highway Department Auditorium.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lybrand, the rules were suspended and the House concurred in and adopted the S. J. R. 36 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 726 with suggested Executive Amendment.

Respectfully submitted

ROBERT M. CLECKLER
Executive Secretary

July 8, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith House Bill No. 726 without my approval and suggest that said House Bill No. 726 be amended to insert immediately after the words "cognizable before a juvenile court" in the third sentence from the last sentence in Section 2, the following: ", and the provisions of Chapter 7, Title 13, Code of Alabama 1940, as amended, shall apply;".

I have discussed this matter with the sponsor of this legislation and this proposed Executive Amendment is agreeable to him.

Respectfully

ALBERT P. BREWER
Governor

July 8, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Collier, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 726, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Culver	Holladay	Owens (W.E.)
Adwell	Dill	Holman	Paulk
Agee	Doss	House	Pennington
Bassett	Downing	Jackson (F)	Perloff
Beck	Drake	Jackson (T)	Pruitt
Berryman (R)	Edington	Jones	Robertson
Blanton	Fine	Kilgore	Sessions
Bolton	Foshee	Lemley	Shumate
Brannan	Garrett	Marr	Smith
Brassell	Gloor	Mathews	Snell
Brown	Grainger	Mays	Springer
Burgess	Grayson	Meade	Starnes
Burgreen	Hain	Meeks	Steagall
Cherner	Hardin	Melton	Stembridge
Collier	Harper	Merrill	Tuck
Collins (C)	Harris	Money	Turnham
Collins (W)	Haygood	Nettles	Williams
Cook (Coffee)	Headley	Neville	Wood
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Wright
Crane	Hill	Owens (W)	Yeilding

—80

Which was a majority of the whole number elected to the House.

And said bill:

H. 726. Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and

compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pearson
Agee	Drake	Jones	Pennington
Bassett	Edington	Kilgore	Perloff
Beck	Fine	Lemley	Pruitt
Berryman (R)	Foshee	Malone	Robertson
Blanton	Garrett	Marr	Sessions
Bolton	Gloor	Mathews	Shumate
Brannan	Grainger	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Brown	Hain	Meade	Springer
Burgess	Hardin	Meeks	Starnes
Burgreen	Harper	Melton	Steagall
Cherner	Harris	Merrill	Stembridge
Collier	Haygood	Money	Tuck
Collins (C)	Headley	Nettles	Turnham
Collins (W)	Higginbotham	Neville	Williams
Cook (Coffee)	Hill	Owen (Baldwin)	Wood
Crane	Holladay	Owens (W)	Wright
Culver	Holman	Owens (W.E.)	Yeilding
Dill	Jackson (F)	Paulk	Young
Doss			—81

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 1, with suggested Executive Amendment.

Respectfully submitted

ROBERT M. CLECKLER
Executive Secretary

July 8, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 1 without my approval.

I respectfully suggest that Section 11 of House Bill No. 1 be amended to read as follows:

"Section 11. This act shall become effective October 1, 1969."

I have discussed this amendment with the sponsors of this legislation and it is at their request that this Executive Amendment is made.

Respectfully

ALBERT P. BREWER
Governor

July 8, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Owen (Baldwin), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pennington
Agee	Edington	Jones	Perloff
Bassett	Fine	Lemley	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (R)	Garrett	Marr	Sessions
Blanton	Grainger	Mathews	Shumate
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Springer
Burgess	Hardin	Meade	Starnes
Burgreen	Harper	Meeks	Steagall
Collins (C)	Harris	Melton	Stembridge
Collins (W)	Haygood	Merrill	Tuck
Cook (Coffee)	Headley	Money	Turnham
Crane	Higginbotham	Owen (Baldwin)	Williams
Culver	Hill	Owens (W)	Wood
Dill	Holladay	Owens (W.E.)	Wright
Dobbs	Holman	Paulk	Yeilding
Doss	Jackson (F)	Pearson	Young
Downing			—73

Which was a majority of the whole number elected to the House.

And said bill:

H. 1. Relating to all counties having populations of not less than 48,100 nor more than 49,000 according to the most recent federal decennial census; providing further for the assessment and collection of ad valorem taxes on motor vehicles, transferring certain duties and responsibilities of the tax assessor and tax collector to the probate judge; requiring an additional bond of the probate judge; providing for the deposit of fees and commissions in the general fund of the county; and defining terms.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Berryman (R)	Burgreen	Cook (Coffee)
Agee	Blanton	Cherner	Crane
Bassett	Brannan	Collins (C)	Culver
Beck	Brassell	Collins (W)	Dill

Dobbs	Headley	Meeks	Shumate
Doss	Higginbotham	Melton	Smith
Downing	Hill	Merrill	Snell
Drake	Hobbie	Money	Springer
Edington	Jackson (F)	Neville	Starnes
Fine	Jackson (T)	Owen (Baldwin)	Steagall
Foshee	Jones	Owens (W)	Stembridge
Garrett	Lemley	Owens (W.E.)	Tuck
Grainger	Malone	Paulk	Turnham
Grayson	Marr	Pearson	Williams
Hain	Mathews	Pennington	Wood
Hardin	Mays	Perloff	Wright
Harper	McCorquodale	Pruitt	Yeilding
Harris	McElhaney	Robertson	Young
Haygood	Meade	Sessions	—75

H. 342 RESUMED

Mr. Berryman (W) offered Amendment #1 to the bill, H. 342, as thus amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 49; Nays 12.

Yeas:

Mr. Speaker	Foshee	Mathews	Pearson
Agee	Garrett	Mays	Pennington
Bassett	Grainger	McDonald	Pruitt
Beck	Grayson	Meade	Robertson
Berryman (W)	Hain	Meeks	Shumate
Blanton	Harper	Melton	Smith
Brannan	Harris	Merrill	Snell
Brown	Haygood	Money	Starnes
Burgreen	Headley	Neville	Steagall
Cameron	Jackson (F)	Owen (Baldwin)	Stembridge
Dill	Jones	Owens (W)	Yeilding
Downing	Malone	Paulk	Young
Drake			—49

Nays:

Messrs.:	Jackson (T)	McElhaney	Tuck
Edington	Lemley	Perloff	Williams
Hill	Marr	Springer	Wood
Hobbie			—12

MOTION TO ADJOURN LOST

The motion of Mr. Owens (W), that the House adjourn until Thursday, July 10, 1969, at 12 o'clock Noon, was lost.

Yeas 38; Nays 48.

Yeas:

Mr. Speaker	Drake	Lemley	Paulk
Beck	Garrett	Malone	Pruitt
Berryman (R)	Hain	Mathews	Shumate
Blanton	Hardin	Mays	Starnes
Brannan	Harper	Meade	Steagall
Brassell	Harris	Melton	Stembridge
Burgreen	Haygood	Money	Tuck
Crawford	Headley	Neville	Weeks
Doss	Holman	Owen (Baldwin)	Yeilding
Downing	Kilgore		—38

Nays:

Messrs.:	Dobbs	Jackson (T)	Pearson
Adwell	Edington	Jones	Pennington
Agee	Foshee	Lybrand	Perloff
Bassett	Gafford	Marr	Robertson
Brown	Gloor	McCorquodale	Sessions
Burgess	Grainger	McDonald	Smith
Cameron	Grayson	McElhaney	Snell
Cherner	Higginbotham	McLain	Springer
Collins (W)	Hill	Meeks	Turnham
Cook (Coffee)	Hobbie	Merrill	Williams
Cook (Jefferson)	House	Owens (W)	Wood
Culver	Jackson (F)	Owens (W.E.)	Wright
Dill			—48

H. 342 RESUMED

Mr. Berryman offered Amendment #2 to the bill, H. 342, as thus amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 21,900 nor more than 22,300, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 48; Nays 13.

Yeas.

Mr. Speaker	Crawford	Harris	Paulk
Agee	Dobbs	Headley	Pearson
Bassett	Doss	Jackson (F)	Pennington
Beck	Downing	Jones	Pruitt
Berryman (R)	Drake	Mays	Robertson
Berryman (W)	Foshee	McDonald	Shumate
Blanton	Garrett	Melton	Smith
Brannan	Grainger	Merrill	Snell
Brassell	Grayson	Money	Starnes
Brown	Hain	Neville	Stembridge
Burgess	Hardin	Owen (Baldwin)	Turnham
Burgreen	Harper	Owens (W)	Yeilding
			—48

Nays:

Messrs.:	Hobbie	Owens (W.E.)	Watkins
Cameron	Jackson (T)	Perloff	Williams
Edington	Lemley	Springer	Wood
Hill	Marr		

—13

Mr. Jackson (F) offered the following amendment to the bill, H. 342, as thus amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 22,000 nor more than 22,350, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 41; Nays 11.

Yeas:

Mr. Speaker	Doss	Headley	Pearson
Agee	Edington	Jackson (F)	Pennington
Bassett	Foshee	Jones	Pruitt
Beck	Garrett	Mays	Shumate
Berryman (R)	Grainger	McDonald	Snell
Brannan	Grayson	Melton	Starnes
Brassell	Hain	Merrill	Steagall
Burgess	Hardin	Money	Stembridge
Burgreen	Harper	Neville	Turnham
Crawford	Haygood	Owens (W)	Yeilding
Dobbs			

—41

Nays:

Messrs.:	Hill	Lemley	Springer
Cameron	Hobbie	Marr	Williams
Downing	Jackson (T)	Perloff	Wood

—11

Mr. Fite offered the following amendment to the bill, H. 342, as thus amended:

Amend House Bill 342 by exempting the counties with the following populations: "14,000 to 14,900 and 21,000 to 21,850."

And the amendment was adopted.

Yeas 44; Nays 11.

Yeas:

Mr. Speaker	Brassell	Drake	Hardin
Agee	Brown	Edington	Harper
Bassett	Burgess	Foshee	Holladay
Beck	Burgreen	Garrett	Jackson (F)
Berryman (R)	Crawford	Grainger	Jones
Blanton	Dobbs	Grayson	Mays
Brannan	Doss	Hain	McDonald

Melton	Pearson	Sessions	Steagall
Merrill	Pennington	Shumate	Stembridge
Money	Pruitt	Snell	Turnham
Owens (W)	Robertson	Starnes	Yeilding

—44

Nays:

Messrs.:	Downing	Jackson (T)	Meeks
Cameron	Hill	Lemley	Perloff
Culver	Hobbie	Marr	Wood

—11

MOTION TO INDEFINITELY POSTPONE LOST

The motion of Mr. Doss to indefinitely postpone the bill, H. 342, as thus amended, was lost.

Yeas 34; Nays 46.

Yeas:

Mr. Speaker	Drake	Mays	Pearson
Beck	Foshee	McCorquodale	Pennington
Berryman (R)	Garrett	McDonald	Pruitt
Berryman (W)	Grainger	Meade	Shumate
Burgess	Hain	Melton	Steagall
Burgreen	Haygood	Money	Turnham
Crawford	Headley	Owens (W)	Weeks
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Marr		

—34

Nays:

Messrs.:	Dill	House	Perloff
Adwell	Downing	Jackson (T)	Robertson
Bassett	Edington	Jones	Sessions
Brannan	Gloor	Kilgore	Smith
Brassell	Grayson	Lemley	Springer
Brown	Hardin	Lybrand	Starnes
Cameron	Harris	Malone	Tuck
Collins (W)	Higginbotham	McElhaney	Watkins
Cook (Coffee)	Hill	McLain	Williams
Cook (Jefferson)	Hobbie	Meeks	Wood
Crane	Holladay	Merrill	Wright
Culver	Holman	Owens (W.E.)	

—46

H. 342 CARRIED OVER

On motion of Mr. Doss, the bill, H. 342, as thus amended, was carried over to the Seventeenth Legislative Day.

Yeas 45; Nays 43.

Yeas:

Mr. Speaker	Crane	Hain	Mays
Agee	Crawford	Hardin	McDonald
Bassett	Dobbs	Harper	Meade
Beck	Doss	Haygood	Melton
Berryman (R)	Ellis	Headley	Money
Bowers	Foshee	House	Neville
Burgreen	Garrett	Jackson (F)	Owens (W)
Cook (Jefferson)	Grainger	Mathews	Paulk

Pearson	Smith	Steagall	Waggoner
Pennington	Snell	Stembridge	Wright
Pruitt	Starnes	Turnham	Yeilding
Shumate			—45

Nays:

Messrs.:	Dill	Jones	Merrill
Adwell	Downing	Kilgore	Owens (W.E.)
Berryman (W)	Edington	Laxson	Perloff
Brannan	Gloor	Lemley	Robertson
Brassell	Grayson	Lybrand	Sessions
Brown	Harris	Malone	Springer
Burgess	Higginbotham	Marr	Tuck
Cameron	Hill	McCorquodale	Watkins
Collins (W)	Hobbie	McElhaney	Weeks
Cook (Coffee)	Holman	McLain	Williams
Culver	Jackson (T)	Meeks	Wood
			—43

H. 217 RECOMMITTED

Mr. Gloor rose to a point of order, and the Speaker recommitted the bill, H. 217, to the Standing Committee on Military Affairs.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 556. Relating to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 556. Local Legislation No. 3.

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until Thursday, July 10, 1969, at 12 o'clock Noon, was lost.

Yeas 44; Nays 49.

Yeas:

Mr. Speaker	Brown	Dobbs	Harris
Beck	Burgreen	Doss	Haygood
Berryman (R)	Collier	Downing	Headley
Blanton	Crane	Drake	Kilgore
Brannan	Crawford	Fine	Laxson
Brassell	Dill	Hain	Lemley

Malone	Neville	Pruitt	Tuck	
Mathews	Owen (Baldwin)	Shumate	Watkins	
Mays	Paulk	Starnes	Weeks	
McElhaney	Pearson	Steagall	Wood	
Money	Perloff	Stembridge	Young	
				—44

Nays:

Messrs.:	Edington	Jackson (F)	Owens (W.E.)	
Adwell	Ellis	Jackson (T)	Pennington	
Agee	Foshee	Jones	Robertson	
Bassett	Gafford	Lybrand	Sessions	
Berryman (W)	Garrett	Marr	Smith	
Bowers	Gloor	McCorquodale	Springer	
Burgess	Grainger	McDonald	Stubbs	
Cameron	Grayson	McLain	Turnham	
Cherner	Hardin	Meeks	Waggoner	
Collins (W)	Hill	Merrill	Williams	
Cook (Coffee)	Hobbie	Nettles	Wright	
Cook (Jefferson)	Holman	Owens (W)	Yeilding	
Culver	House			—49

UNANIMOUS CONSENT TO INTRODUCE BILL

On motion of Mr. Marr, the rules were suspended and permission granted to introduce a bill out of order.

Yeas 46; Nays 6.

Yeas:

Mr. Speaker	Culver	Jones	Perloff	
Bassett	Dobbs	Kilgore	Pruitt	
Berryman (R)	Downing	Lemley	Robertson	
Berryman (W)	Edington	Marr	Sessions	
Brannan	Ellis	Mays	Shumate	
Brassell	Fine	Melton	Smith	
Brown	Grayson	Money	Stubbs	
Collier	Hardin	Nettles	Tuck	
Collins (W)	Harper	Owen (Baldwin)	Weeks	
Cook (Coffee)	Haygood	Owens (W)	Wood	
Cook (Jefferson)	Hobbie	Owens (W.E.)	Young	
Crawford	Jackson (T)			—46

Nays:

Messrs.:	Garrett	Harris	Meeks	
Cameron	Grainger	McLain		—6

INTRODUCTION OF BILL

The following bill was introduced, read one time, and referred to appropriate standing committee as follows:

By Mr. Marr:

H. 902. Relating to financial statements required by the Uniform Commercial Code to be filed in the office of the Secretary of State; requiring a mortgage tax to be paid on certain instruments and providing for the return of the tax to the county from which the instrument came.

Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Nabors, Turner, Torbert, Folsom, Albea:

S. 12. Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Also:

By Messrs. Radney, Cooper, Vacca, Bailes, Pierce, Nabors, Albea, Leonard, Childs, Lindsey, Giles, Gilmore, Adams, Lolley, McDermott, Skidmore, Hawkins, Givhan, Stone, Branyon, Morrow, Jackson, Dominick, Engle and Carr:

S. 70. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Also:

By Messrs. Turner, Clark, Pierce, Cooper, Torbert, Engel, Gilmore, Oden and Goodwyn:

S. 108. To amend Code of Alabama 1940, Title 35, Section 101, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Also:

By Messrs. Givhan, Clark, Engel, Cooper, Adams and Goodwyn:

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in .....adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $10,000,000; to designate the Ala-

bama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $10,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

Also:

By Messrs. Givhan, Engel, Clark, Cooper, Adams and Goodwyn:

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Also:

By Mr. Cooper:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Also:

By Mr. Cooper:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Also:

By Mr. Cooper:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Also:

By Mr. Cooper:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Also:

By Mr. Pierce:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

Also:

By Mr. Pierce:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Also:

By Mr. Pierce:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Also:

By Messrs. Engel, McDermott, Givhan and Cooper:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit

the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, S. 12, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 70. Highway Safety.

S. 108. Judiciary.

SENATE MESSAGE

The Senate Bills, S. 209 and S. 210, the titles of which are set out in the above and foregoing Message from the Senate, were read a first time at length as required by the Constitution, and referred to the Standing Committee on Judiciary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 225. Judiciary.

S. 226. Judiciary.

S. 227. Judiciary.

S. 228. Judiciary.

S. 238. Judiciary.

S. 239. Judiciary.

S. 240. Judiciary.

S. 249. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Lolley:

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGALS

STATE OF ALABAMA
GENEVA COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be mde, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Hartford in Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Hartford in Geneva County are hereby altered, rearranged, extended and redefined so as to include within the corporate limits of the town, all territory now embraced within such corporate limits and also certain other additional and adjacent territory in said county, as follows:

Section 36, Section 25, the E½ of Section 26, and the E½ of Section 35 of Township 2 North, Range 23 East; and the N½ of Section 1, and the NE¼ of Section 2, of Township 1 North, Range 23 East; and Section 30, Section 31, W½ of the W½ of Section 29, and the W½ of the W½ of Section 32, all in Township 2 North, Range 24 East.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. 29—4tc

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the News-Herald, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four sucessive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 17, 1969; April 24, 1969; May 1, 1969; and May 8, 1969, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me May 16, 1969.

GENE M. ANDREW,
Notary Public.

Also:

By Mr. Jackson:

S. 294. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; further regulating the salary of the chief clerk of the county governing body.

Also:

By Mr. Jackson:

S. 295. Relating to the office of the sheriff in all counties having populations of not less than 32,200 nor more than 35,000 according to the most recent federal decennial census; providing salary increases for certain deputies and employees of the sheriff; authorizing the employment of additional deputies and providing for their assignment, duties and compensation.

Also:

By Messrs. Engel and McDermott:

S. 258. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961 entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office, to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 2 of an Act of the Legislature of Alabama being Local Act No. 102, approved June 3, 1943, page 59 of the Local Acts of Alabama of 1943, which was amended by an Act of the Legislature of Alabama, being Local Act No. 784, approved September 8, 1961, page 1135 of the Local Acts of Alabama of 1961, be and the same is hereby amended so as to read as follows: "Section 2. Such attorney so appointed shall receive as his compensation Four Thousand Eight Hundred and No-100 ($4,800.00) Dollars per annum, payable in equal monthly installments upon warrants drawn in the same manner as other employees of Mobile County".

Section 2. That all laws or parts of laws, general, local or special, in conflict with the provisions of this Act be, and the same are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage by the Legislature and its approval by the Governor or its otherwise becoming a law.

0935 Reg., March 22, 29; April 5, 12, 1969

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 22, 29, Apr. 5, and 12, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me April 12, 1969.

S. S. GATLIN,
Credit Mgr.

Also:

By Messrs. Engel and McDermott:

S. 259. Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such

fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to law enforcement in Mobile County; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated the Sheriff's Fund and providing for the use of such fund; repealing conflicting laws, and specifically repealing Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) as to Mobile County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Mobile County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940 Title 14, Section 177 shall be five dollars, which shall be collected by the sheriff.

Section 2. Any and all monies collected under Section 1 of this act shall be deposited by the sheriff of Mobile County, in any bank located in Mobile County, into a fund known as the Sheriff's Fund.

Section 3. The Sheriff's Fund as provided in Section 2 of this act shall be drawn upon by the sheriff of Mobile County or his appointed agent and shall be used exclusively for law enforcement purposes and in the discharge of the sheriff's office as he sees fit.

Section 4. The establishment of the Sheriff's Fund as provided in this act and the use of such funds shall in no way diminish or take the place of any other imbursement or other source of income established for the sheriff or the operation of his office.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws and parts of laws which conflict with this act are hereby repealed, and Act No. 413, H. 941, Regular Session 1965 (Acts 1965, p. 602) is specifically repealed as to Mobile County.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

0934 Reg., March 22, 29; April 5, 12, 1969

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 22, 29, Apr. 5, and 12, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me April 12, 1969.

S. S. GATLIN,
Credit Mgr.

Also:

By Messrs. Engel and McDermott:

S. 260. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Be It Enacted by the Legislature of Alabama:

Section 1 of Act No. 594, N. 1044, Regular Session 1939 (Local Acts 1939, p. 355), an act regulating the compensation of the Sheriff of Mobile County, as amended, is amended further to read as follows:

"Section 1. At the expiration of the term of the incumbent, the sheriff of Mobile County shall be paid eighteen thousand dollars ($18,000) per annum as salary or compensation. Such sum shall be paid out of the county treasury of Mobile County, Alabama, in equal monthly installments at the end of each month, upon warrants drawn in the same manner as other officers and employees of Mobile County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

0933 Reg., March 22, 29; April 5, 12, 1969

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Mar. 22, 29, Apr. 5, and 12, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me April 12, 1969.

S. S. GATLIN,
Credit Mgr.

Also:

By Mr. Givhan:

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALLAS

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1, Act. No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Section 1. Section 1 of Act No. 11, S. 59, Regular Session 1959, as amended, (Acts 1959 p. 416), an act to fix the compensation of certain officers of Dallas County, including the Judge of Probate, the Tax Assessor, the Tax Collector, the Sheriff, the Circuit Clerk, the Register in Chancery, and the Members of the County Governing Body other than the Probate Judge, as authorized in the Constitution of Alabama, and to provide for the payment thereof from the County Treasury, and to repeal conflicting laws.

Apr. 10-17-24, May 1

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALLAS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Henry H. Lloyd, who, being by me first duly sworn, deposes and says that during the times herein mentioned was Business Manager of the SELMA TIMES-JOURNAL, a newspaper of general circulation published in Dallas County, Alabama, and that the attached notice was published in said newspaper once a week for 4 successive weeks, said notice having appeared in the issues of said paper on April 10, April 17, April 24, and May 1, all in the year 1969.

HENRY H. LLOYD.

Sworn to and subscribed before me 8th. day of May, 1969.

JOSEPHINE K. TIPTON,
Notary Public.

Also:

By Mr. Engel:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Also:

By Messrs. Engel and McDermott:

S. 261. To amend Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Also:

By Mr. O'Bannon:

S. 1. To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 244. Local Legislation No. 1.

S. 294. Local Legislation No. 1.

S. 295. Local Legislation No. 1.

S. 258. Local Legislation No. 3.

S. 259. Local Legislation No. 3.

S. 260. Local Legislation No. 3.

S. 211. Local Legislation No. 1.

S. 252. Local Legislation No. 3.

S. 261. Local Legislation No. 3.

S. 1. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 479. To amend Title 22, Section 236, Code of Alabama 1940, as amended, by requiring a pharmacist to maintain separate prescription files for narcotic prescriptions.

Also:

By Messrs. Givhan and Lolley:

S. 212. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

Also:

By Messrs. Goodwyn, Oden, Clark, Gilmore, Torbert, Cooper, Giles, Engel, Pierce and Turner:

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204), Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

Also:

By Mr. Harris:

S. 5. To amend further Code of Alabama 1940, Title 52, Section 495, which relates to meetings of the board of trustees of the University of Alabama, in relation to the places of such meetings.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 479. Health.

S. 212. Agriculture.

S. 446. Judiciary.

S. 5. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrosment:

By Mr. Clark:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Also:

By Mr. Clark:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 510. Judiciary.

S. 511. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrosment:

By Mr. McDermott:

S. 554. To amend further Section 5 of an Act entitled an Act "To provide for appointment of official court reporters of the circuit courts of those circuits which are now, or which may hereafter be, composed of only one county and having not less than six nor more than twelve circuit judges; to provide for their qualifications, to fix their compensation, to define their duties and provide for the appointment of special reporters in such cases; and to repeal all laws which may be in conflict herewith", approved April 8, 1955.

Also:

By Mr. Adams:

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE OF PROPOSED LEGISLATION

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, viz.:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature of Alabama, Regular Session of 1961, Vol. 1, pp. 244, et seq.) be amended to read as follows:

"Section 6. Effective on the first Monday in October, 1969, the Mayor in cities within the scope of this act shall receive an annual salary of $7,200.00 and each associate commissioner shall receive an annual salary of $4,800.00. In addition, all reasonable expenses incurred by such Mayor and associate commissioners in the performance of their duties as such Mayor and associate commissioners shall be paid by the city. All such salaries shall be payable by the city in equal monthly installments and at the same rate for every fraction of a year which the commissioners serve. The payment of all funds out of the treasury shall be by warrants signed by the City Clerk and countersigned by the Mayor, provided that during the absence of the Mayor from the corporate limits of the city, and necessity therefor arising, warrants may be countersigned by one of the associate commissioners designated by the Mayor to act in his stead."

Section 2. This act shall become effective October 1, 1969.

May 8, 15, 22, 29, 1969

STATE OF ALABAMA
HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Wallace Miller, who is known to me and who, being by me first duly sworn, deposes and says: That he is Advertising Director of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 4 successive weeks, May 8, 15, 22, 29, 1969 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed

under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

WALLACE MILLER.

Sworn to and subscribed before me on this 6th day of June, 1969.

EUGENE McCLINTIC,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 554. Local Legislation No. 3.

S. 457. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 478. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Also:

By Messrs. Goodwyn, Oden, Gilmore, Torbert, Cooper, Giles, Engel, Pierce, Turner and Clark:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Also:

By Mr. Skidmore:

S. 268. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 478. State Administration.

S. 445. Judiciary.

S. 268. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Givhan:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 442. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Jackson:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Also:

By Mr. O'Bannon:

S. 436. To provide for the supplemental compensation of the Circuit Judges of the 31st Judicial Circuit, and providing that the supplemental compensation herein provided, shall be in lieu of any and all other salary supplements heretofore authorized.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 452. Local Legislation No. 1.

S. 436. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. McCarley:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF AUTAUGA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55), as amended, an act to create the office of county solicitor of Autauga County, is amended further to read as follows:

"Section 5. The county solicitor of Autauga County shall receive a salary of not less than twenty-four hundred dollars ($2,400) per annum and not more than three thousand dollars ($3,000) per annum with such salary to be fixed by the board of revenue or other like governing body of the county. In addition, the county solicitor shall be entitled to an expense allowance of Two hundred Fifty dollars ($250) per month for clerk and stenographic hire, office rent, telephone expense, travel expense, and other expense for the investigation or suppression of crime and for the discharge of other law enforcement duties. Such salary and expense allowance shall be paid out of the general fund of the county in twelve equal monthly installments."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

(The Sun, 5-15, 22, 29, 6-5)

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert W. Plowden, who, being

by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the SUN, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a wek for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 4, all in the year 1969.

ROBERT W. PLOWDEN.

Sworn to and subscribed before me June 12, 1969.

ZELMA KEEN,
Notary Public.

Also:

By Mr. Harris:

S. 465. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to make this section applicable to other cities, also classified according to population.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 512. Local Legislation No. 1.

S. 465. Local Government.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Vacca and Cooper:

S. 208. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

Also:

By Messrs. McDermott and Engel:

S. 485. To amend an Act of the General Assembly of Alabama approved February 15, 1876, and entitled "An Act to Regulate Public Schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 14, 1963, by amending Section 5 thereof by including, in the powers of the Board of School Commissioners of Mobile County, the power to employ and pay guards, watchmen, security personnel, or other functionaries, by whatever name

called, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character; whether or not of like kind with those just stated; and to invest the said guards, watchmen, security personnel, or other functionaries with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act; and the power to let any property which it may own in fee simple; and any property of which, though not owned by it, the Board shall have the statutory right and power of direction, management and control; for any term or period that may seem to the Board, in the exercise of a sound discretion, proper, not to exceed 99 years, provided however, that the Barton Academy Buildings and property are excepted from the said power to let, and provided further that if the lease be for a term exceeding 50 years and the value of such property shall exceed $5,000 the lease, to be valid, shall receive the unanimous vote of the said Board and be approved by the Judge of Probate of Mobile County; and provided further that the restriction touching the necessity for unanimous vote of the Board and approval by the Probate Judge shall not apply to leases that may have been made prior to the first day of June, 1969, nor to any leases that may be made to land in Section 16 in Township 4 South of Range 2 West in Mobile County.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

To Whom It May Concern:

Pursuant to constitutional requirement, notice is hereby given that at the regular session of the Legislature of the State of Alabama beginning in May 1969, a bill will be introduced to add, to the powers now possessed by the Board of School Commissioners of Mobile County, the following powers.

To employ and pay guards, watchmen, security personnel, or other functionaries, to preserve the grounds, school buildings and other structures of any character; that belong to or are in the possession of and are under the control of the Board of School Commissioners of Mobile County; from trespass, vandalism, theft, fire or damage of any character, and to invest them with the right to use such force as may be necessary in the performance of their duties under and pursuant to their employment under the authority of this Act.

To let property—except the Barton Academy buildings and property —either owned in fee simple or over which the Board has the statutory right of direction, management and control, for a term not to exceed ninety nine (99) years, provided that if the value of such property exceeds five thousand ($5,000) dollars, and the lease be for a term exceeding fifty (50) years, its making must receive the unanimous vote of the Board and be approved by the Judge of Probate of Mobile County, and provided further that the said restrictive requirements as to long term leases shall have no application to leases made prior to the first day of June, 1969.

1416 Reg., May 17, 24, 31; June 7, 1969

E E Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached

notice appeared in the issue of The Mobile Register May 17 24 31 June 7 1969

E E KOCH.

Sworn to and subscribed before me this 7 day of June 1969

W. F. EGAN,
Notary Public.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 208. Judiciary.

S. 485. Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Torbert:

S. J. R. 30. WHEREAS Hugh McClendon and Bob Weaver, twelve years of age, of Lafayette, Alabama, gallantly went to the rescue of a drowning and badly injured man near Kowaliga, and

WHEREAS through their strenuous and heroic efforts the life of the victim was saved, and

WHEREAS both of these fine young men are members of the Boy Scouts of America and have shown themselves to be outstanding examples of the qualities of manhood taught and promoted by that organization, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we take great pride and pleasure in commending Hugh McClendon and Bob Weaver for their cool, heroic, and efficient rescue, and applaud their quickness of mind, soundness of judgment, and bravery in the face of danger.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the families of Hugh McClendon and Bob Weaver.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Young, the rules were suspended and the House concurred in and adopted the S. J. R. 30 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate stand committees, as follows:

By Mr. Fite:

H. 903. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the county engineer payable from the general funds of the county.

Local Legislation No. 1.

By Mr. Fite:

H. 904. Relating to counties having a population of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Local Legislation No. 1.

By Mr. Fite:

H. 905. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county

Local Legislation No. 1.

By Mr. Fite:

H. 906. To amend the title and Section 2 of Act No. 65, H. 738, Regular Session 1969, approved June 27, 1969, an Act providing for a travel allowance for the chairman and members of the board of revenue in counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census, so as to increase the travel allowance of the chairman.

Local Legislation No. 1.

By Mr. Young (with notice and proof):

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 907:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Cleburne County is hereby authorized and empowered to appropriate out of any moneys in the county treasury not otherwise appropriated, and to expend not exceeding the sum of five thousand dollars ($5,000.00) per annum for any purposes not otherwise provided for by law, that in their judgment are worthy and for the best interest of the county, the fund hereby authorized to be known as the "Contingent Fund." Provided, however, the expenditures herein provided shall first be authorized by the governing body of the county in a resolution spread upon its minutes.

Section 2. Under the provisions of Section 1, not more than five thousand dollars ($5,000.00) shall be appropriated and expended in any one year; and should any sum or sums remain unexpended in said fund at the end of the year, only so much shall be appropriated for the next succeeding year as will together with the sum so remaining unexpended bring the Contingent Fund up to the sum of five thousand dollars ($5,000.00).

Section 3. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. Act No. 4, H. 1, Regular Session 1945 (Local Acts 1945 p. 3) and all other laws or parts of laws which conflict with this act are hereby repealed.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice

having appeared in the issues of said paper on May 29, June 5, 12 & 19, 1969, all in the year 1969.

JACK R. WOOD.

Sworn to and subscribed before me June 23, 1969.

JIMMIE SUE TAYLOR,
Notary Public.

My commission expires Feb. 21, 1970.

By Mr. Young (with notice and proof):

H. 908. Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Local Legislation No. 1.

Notice and Proof H. 908:

STATE OF ALABAMA
COUNTY OF CLEBURNE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Cleburne County is hereby authorized to employ such number of deputies as the county governing body shall prescribe not to exceed four. Each deputy shall receive a salary to be fixed by the county governing body up to a maximum of $500.00 per month. The salary of each deputy shall be paid from the general fund of the county in the same manner in which other employees of the county are paid.

Section 2. The number of deputies, not to exceed four, shall be determined by the governing body of Cleburne County.

Section 3. All laws or parts of laws which conflict with this Act are repealed, and Act No. 18, Regular Session 1947 (Local Acts 1947 p. 21) is hereby expressly repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Cleburne News, a newspaper of general circulation published in Cleburne County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, 12 & 19, 1969, all in the year 1969.

JACK R. WOOD.

Sworn to and subscribed before me June 23, 1969.

JIMMIE SUE TAYLOR,
Notary Public.

My commission expires Feb. 21, 1970.

By Mr. Burgreen:

H. 909. To provide an expense allowance for the judge of probate in all counties having populations of not less than 35,700 nor more than 36,600, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Local Legislation No. 1.

By Messrs. Robertson, Culver and Brown:

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Local Legislation No. 1.

By Mr. Edington:

H. 911. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Local Legislation No. 3.

By Messrs. Malone, Wright and Owens (W. E.):

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

Local Legislation No. 1.

By Messrs. Malone, Wright and Owens (W. E.):

H. 913. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

Local Legislation No. 1.

By Messrs. Malone, Wright and Owens (W. E.):

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

Local Legislation No. 1.

By Messrs. Malone, Wright and Owens (W. E.):

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

Local Legislation No. 1.

By Messrs. Springer, Harris and Cameron:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Local Legislation No. 4.

By Mr. Springer:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

Local Legislation No. 4.

By Messrs. Meade and Beck (with notice and proof):

H. 918. To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

Local Legislation No. 1.

Notice and Proof H. 918:

STATE OF ALABAMA
COUNTY OF CHEROKEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 261, H. 808, approved August 23, 1955, (Acts 1955, p. 606) is hereby amended so as to read as follows:

Section 4. Upon the effective date of this Act the governing body of Cherokee County and all officials of the county shall transfer and

turn over to the State Highway Department, all funds, supplies, equipment, machinery and materials held, owned leased or controlled by it or them for the construction, maintenance and repair of county roads and bridges. Thereafter, on or before the tenth day of each month, the county treasurer, the county governing body and all other county officials of Cherokee County shall pay over to the State Highway Department all funds collected or received by them as taxes, or otherwise, excluding the motor vehicle license tax allocated to the county, and excluding any gasoline tax now levied and collected, or hereafter authorized to be levied and collected by the county governing body of Cherokee County Alabama, from any source whatsoever during the preceding month which are designated or to be used for the purpose of constructing, maintaining or repairing county roads or bridges. Such funds shall be maintained seperately by the State Highway Department and shall be used by it soley for the purpose of construction, maintenance and repair of county roads and bridges in Cherokee County subject to the provisions of this Act; provided that the provisions of this Act shall have no application to any monies now constituting the Road, Bridge and Public Building Fund of Cherokee County nor to any amounts hereafter received by such county from the levy for such purposes authorized by Section 215 of the Constitution, nor to any amounts of gasoline taxes levied and collected or hereafter authorized to be levied and collected by the county governing body of Cherokee County, Alabama, and same shall continue to be received, maintained and expended subject to the control and direction of the governing body of such county in the manner authorized by law."

Section 2. Section 7 of said Act No. 261 of 1955 is hereby amended so as to read as follows:

"Section 7. The State Highway Department shall construct, maintain and repair the county roads and bridges of Cherokee County from funds which would otherwise accrue to Cherokee County for road and bridge work from any source not specifically excepted under the terms of this Act. The State Highway Department shall retain, and the appropriate State Officials are authorized to pay over to it any funds or amounts to which Cherokee County shall be entitled to from the proceeds of the State gasoline tax, or any other State tax, and such sums and amounts shall be used in addition to the sums and amounts turned over to the State Highway Department under the provisions of Section 4 of this Act for the construction, maintenance and repair of county roads and bridges in said county. The gasoline tax money, and the proceeds of any other tax to which Cherokee County is entitled except those taxes specificially excluded in Section 4 of this Act, received by the State Highway Department for road work in Cherokee County shall be kept in the separate account referred to in Section 4 of this Act."

Section 3. This Act amendment shall take effect immediately upon its passage and approved by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Lois Flemming a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Notice of bill to be entitled an act as published in said newspaper once a week for four consecutive weeks, 5-28-69, 6-4-69, 6-11-69, 6-18-69, that said newspaper has been so published in said

town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 23rd day of June, 1969.

LOIS FLEMING,
Notary Public.

By Messrs. Meade and Beck:

H. 919. To amend Act No. 224, H. 220, approved May 10, 1967 (Acts 1967, v. 1, p. 295), an act providing for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by the state, so as to redefine the phrase "base annual county distribution."

Local Legislation No. 1.

By Messrs. Foshee and Jackson (F):

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

Local Legislation No. 1.

By Messrs. Jackson (F) and Foshee (with notice and proof):

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Local Legislation No. 1.

Notice and Proof H. 921:

STATE OF ALABAMA
COUNTY OF COVINGTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Be It Enacted by the Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue or other like governing body of Covington County is hereby authorized and empowered to appropriate from the county treasury the sum of $2,421.02 for the relief of Ray Bozeman, circuit clerk of said county, to compensate him for the collecting and remitting of monies to the county under the provisions of Act No. 45, Regular Session 1967, (Acts 1967, p. 62). Said act inadvertently omitted the usual provision for commissions to be paid to the circuit clerk for collecting and remitting mon-

ies due the county under its provisions, and the claim of Ray Bozeman is a just, equitable and moral obligation resting upon Covington County, for which there is no remedy at law. The official authorized by law to draw warrants on the county treasury is hereby directed to draw his warrant in favor of Ray Bozeman for the sum of $2,421.02.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

ED DANNELLY.

Sworn to and subscribed before me June 25, 1969.

LORA JONES,
Notary Public.

By Mr. McCorquodale (with notice and proof):

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

Local Legislation No. 1.

Notice and Proof H. 922:

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
CLARKE COUNTY

Before me, Bettye H. Brown, a Notary Public in and for said County in said state, personally appeared J. Fred Nall, who is known to me, and who, being duly sworn, deposes and says:

That he is Publisher of The South Alabamian, a newspaper published weekly at Jackson, in Clarke County, Alabama, and that the following notice, to-wit:

STATE OF ALABAMA
COUNTY OF CLARKE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries of the City of Jackson, in Clarke County, Alabama, are altered, rearranged and extended to include within the corporate limits of the municipality, in addition to all the lands presently so included, the lands lying and being in Clarke County, Alabama, described as follows:

All those portions of Sections 4 and 9 in Township 6 North, Range 2 East not presently included within the corporate limits of said municipality;

All those portions of Sections 32 and 33 in Township 7 North, Range 2 East not presently included within the corporate limits of said municipality;

And entire Sections 15, 22, 29, 30 and 31 in Township 7 North, Range 2 East.

Section 2. All the territory brought within the corporate limits of the City of Jackson under the provisions of this Act shall be exempt from ad valorem taxation by the City of Jackson until such time as the city makes available, furnishes or causes to be furnished to the area or part thereof all the same municipal services, except sanitary sewer services, which it was making available, furnishing or causing to be furnished to residents within the corporate limits of such city immediately prior to the extension of such limits by this Act. Provided, further, all farm or timber land annexed by this Act, the improvements thereon and the appurtenances thereunto appertaining, shall be exempt from all ad valorem taxation by the municipality of Jackson during the time such land is used for farming or timber growing purposes.

Section 3. City ordinances prohibiting the keeping or raising of livestock or prohibiting the discharging of firearms shall not apply to any part of the territory hereby annexed during the time such part of this territory is used for farming and timber growing purposes.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

was published in said newspaper once a week for four successive weeks, said notice appearing in the following issues: June 12, 1969 to July 3, 1969, inclusive.

J. FRED NALL.

Sworn to and subscribed before me this day of 7th July, 1969.

BETTYE H. BROWN,
Notary Public, Clarke County, Ala.

By Messrs. Hill and Haygood (with notice and proof):

H. 923. Relating to the office of sheriff of Lauderdale County; providing further for the operation of such office; making further provisions respecting the number and employment of deputies and assistants for such officer; providing for their compensation; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 923:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of sheriff of Lauderdale County; providing further for the operation of such office; making further provisions respecting the number and employment of deputies and assistants for such officer; providing for their compensation; and repealing conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. In lieu of the deputies and assistants heretofore authorized by law the sheriff of Lauderdale County shall appoint:

(a) one chief deputy and not less than eight nor more than thirteen deputies in addition to the chief deputy. The chief deputy shall receive not less than $550 nor more than $750 monthly and each other deputy shall receive not less than $500 nor more than $650 monthly;

(b) one or more secretaries, at the discretion of the county governing body, who may be deputies but shall not be included in the number of deputies authorized in subsection (a) above. Such secretary, or secretaries shall receive not less than $400 nor more than $500 monthly;

(c) two or more jailers, at the discretion of the county governing body, who may be deputies, but shall not be included in the number of deputies authorized by subsection (a) above. Such jailers shall receive not less than $500 nor more than $600 monthly.

The exact amount of compensation of each of such deputies, jailers and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county as the salaries of other county employees are paid.

Section 2. The county governing body shall furnish each deputy of the sheriff with uniforms or it may in its discretion pay to each deputy annually a uniform allowance of $125.

Section 3. Each employee of the sheriff's office shall be granted two weeks vacation leave and two weeks sick leave with pay each year. Accumulation of vacation leave shall be allowed up to a maximum of sixty working days and accumulation of sick leave shall be allowed up to a maximum of thirty working days. "Sick leave" shall mean absence from duty of an employee because of: (1) illness; (2) bodily injury not incurred in line of duty, or bodily injury or occupational illness in-

curred in line of duty, but for which special leave is not granted; (3) attendance on members of the immediate family whose illness requires the care of such employee; and (4) death in the immediate family of an employee.

Section 4. Act No. 31, S. 128, Regular Session 1943, (Local Acts 1943, p. 18); Act No. 219, H. 557, Regular Session 1947; (Local Acts 1947, p. 124); Act No. 91, H. 391, Regular Session 1951 (Acts 1951, p. 312); Act No. 413, H. 888, Regular Session (Acts 1955, p. 957); Act No. 656, H. 1106, Regular Session 1957 (Acts 1957, p. 997); Act No. 658, H. 1109, Regular Session 1957 (Acts 1957, p. 998); Act No. 115, S. 6, Special Session 1961 (Acts 1961, p. 2040); Act No. 116, S. 7, Special Session 1961, (Acts 1961, p. 2041); Act 117, S. 8, Special Session 1961 (Acts 1961, p. 2041); Act No. 802, H. 1004, Regular Session 1965 (Acts 1965, p. 1504) and all other laws and parts of laws in conflict herewith are hereby repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30 and July 7, all in the year 1969.

RICHARD N. HAMMELL.

Sworn to and subscribed before me July 7, 1969.

ROBERT W. HILL, JR.,
Notary Public, State at Large.

By Messrs. Hill and Haygood (with notice and proof):

H. 924. To relieve the board of registrars of Lauderdale County of the duty of visiting the several precincts for the purpose of registering applicants for registration; and to regulate further the places for registration of applicants therefor.

Local Legislation No. 1.

Notice and Proof H. 924:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To relieve the board of registrars of Lauderdale County of the duty of visiting the several precincts for the purpose of registering applicants for registration; and to regulate further the places for registration of applicants therefor.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of registrars of Lauderdale County is hereby relieved of the duty of visiting the several precincts between October first and December thirty-first in odd-numbered years for the purpose of making a complete registration of all persons entitled to register as required by Code of Alabama 1940, Title 17, Section 26, as amended. In lieu of visiting the precincts such board shall sit during such period for such purpose either at the courthouse or at such other towns or communities in the county as, in the board's opinion, will facilitate the making of a complete registration of persons entitled to register. They shall remain at each place designated for registration at least one-half day. They shall give at least twenty days notice of the time when and the place where they will attend to register applicants for registration, by bills posted at three or more public places in each town or community designated for registration, and by advertisement once a week for three successive weeks in a newspaper, if there be one published in the county. Upon failure to give such notice or to attend any appointment made by them, they shall, after like notice, fill new appointments in such town or community. The time consumed by the board in completing such registration shall be subject to the limitation prescribed in Code of Alabama 1940, Title 17, Section 26, as amended. Except as hereinabove provided the times and places of meetings of the board of registrars of Lauderdale County shall be governed by the general law.

Section 2. In Lauderdale County no person shall be registered except at the courthouse or at one of the places of registration designated by the board of registrars as authorized in Section 1 of this Act; however, any resident of Lauderdale County who is entitled to register, may register at any place designated for registration, even though he is not a resident of the precinct in which such designated place of registration lies.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale

County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1969.

RICHARD N. HAMMELL.

Sworn to and subscribed before me July 7, 1969.

ROBERT W. HILL, JR.,
Notary Public, State at Large.

By Messrs. Hill and Haygood (with notice and proof):

H. 925. To amend Act No. 88, S. 181, Regular Session 1959 (Acts 1959, p. 509), which authorizes and provides for the establishment of a public law library in Lauderdale County, and provides for the taxing and collection of additional court costs in certain courts in the county to finance such library; to provide further for the taxing and collection of additional court cost for such purpose.

Local Legislation No. 1.

Notice and Proof H. 925:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 88, S. 181, Regular Session 1959 (Acts 1959, p. 509), which authorizes and provides for the establishment of a public law library in Lauderdale County, and provides for the taxing and collection of additional court costs in certain courts in the county to finance such library; to provide further for the taxing and collection of additional court cost for such purpose.

Section 1. Section 2 of Act No. 88, S. 181, Regular Session 1959 (Acts 1959, p. 509), which authorizes and provides for the establishment of a public law library in Lauderdale County, is hereby amended to read as follows:

"Section 2. In order to provide a special fund for the maintenance of said library there shall be taxed as cost:

"The sum of one dollar in each misdemeanor case or case involving the violation of a municipal ordinance other than an ordinance relating to parking vehicles filed in a municipal court;

"The sum of one dollar in each criminal case, quasi-criminal case or civil case filed in the county court, and in each criminal case or quasi-criminal case involving a misdemeanor filed in, arising in, or brought by appeal, certiorari or otherwise to the circuit court of Lauderdale County;

"The sum of three dollars in each criminal or quasi-criminal case involving a felony and in each civil action at law, suit in equity, proceeding on a forfeited bail bond or proceeding on a forfeited bond given in connection with an appeal from a judgment of conviction in any in-

ferior court to the circuit court of Lauderdale County, hereafter filed in, arising in, or brought by appeal, certiorari or otherwise to the circuit court of Lauderdale County.

"Such costs shall be collected as other costs in such courts are collected and shall be paid by the magistrate, clerk of the court or register thereof, as the case may be, to the county depository of Lauderdale County, Alabama."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1969.

RICHARD N. HAMMELL.

Sworn to and subscribed before me July 7, 1969.

ROBERT W. HILL, JR.,
Notary Public, State at Large.

By Messrs. Hill and Haygood (with notice and proof):

H. 926. Relating to Lauderdale County; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Local Legislation No. 1.

Notice and Proof H. 926:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lauderdale County; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Lauderdale County shall collect a fee of five dollars for each pistol permit issued by him. Such fee shall be in addition to any other fee required by law for the issuance of a pistol permit. The entire amount of said fee shall be paid into the county treasury to the credit of the general fund of the county.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This Act is estimated to bring into the County General Fund between $1,000 and $2,000 annually.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1969.

RICHARD N. HAMMELL.

Sworn to and subscribed before me July 7, 1969.

ROBERT W. HILL, JR.,
Notary Public, State at Large.

By Messrs. Hill and Haygood (with notice and proof):

H. 927. To regulate further the preparation and publication of the list of qualified electors in Lauderdale County in even numbered years; providing for the posting of such lists in lieu of their publication in a newspaper; relieving the judge of probate of the duty of publishing such list; and authorizing him, in his discretion, to publish a brief notice relative to such lists.

Local Legislation No. 1.

Notice and Proof H. 927:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the preparation and publication of the list of qualified electors in Lauderdale County in even numbered years; providing for the posting of such lists in lieu of their publication in a newspaper; relieving the judge of probate of the duty of publishing such list; and authorizing him, in his discretion, to publish a brief notice relative to such lists.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lauderdale County the list of qualified electors who will be entitled to vote in any elections held in such county for the ensuing year, prepared in even numbered years as directed in Code of

Alabama 1940, Title 17, Section 38, need not be published in a newspaper on or before the fifteenth day of April in such even numbered years; nor shall the list of names added thereto during the ten days after publication of such list be published in a newspaper. In lieu of publishing in a newspaper such lists shall be published by posting as hereinafter prescribed. On or before the fifteenth day of April in every even numbered year the judge of probate shall post a certified copy of the list of qualified electors, prepared as directed in said Section 38, in a conspicuous place in the courthouse, and he shall also post a copy thereof in the municipal building of each municipality in the county, or if there is no municipal building in a municipality then at the post office. Attached to each list so posted shall be a notice that any duly registered voter whose name has been inadvertently or through mistake omitted from such list and who is legally entitled to vote shall have ten days from the date of posting of such notice to have his or her name entered upon said list. In lieu of publishing a newspaper the list of names added during this ten days, as required in said Section 38, the list of names so added shall be posted, by the judge of probate in the same places that the original lists of qualified electors for the ensuing year were posted.

The judge of probate of Lauderdale County may, in his discretion, publish a notice in a newspaper of general circulation in the county stating that the list of qualified electors has been prepared and posted. Such notice shall also inform any duly registered voter whose name has been inadvertently or through mistake omitted therefrom and who is legally entitled to vote, that he or she has ten days in which to have his or her name added to such list.

Except as hereinabove provided the judge of probate of Lauderdale County shall do and perform all the duties required of him by Code of Alabama 1940, Title 17, Section 38. He is, however, specifically relieved of the duties of publishing the above mentioned lists in a newspaper.

The list of qualified electors published as in this Act provided shall in all matters have the same status, force and effect as such lists when they are published as required in said Section 38.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

This Act will bring an additional $5,763.27 into the County General Fund annually.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said

newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1969.

RICHARD N. HAMMELL.

Sworn to and subscribed before me July 7, 1969.

ROBERT W. HILL, JR.,
Notary Public, State at Large.

By Messrs. Hill and Haygood (with notice and proof):

H. 928. To regulate the compensation, fees and commissions of the judge of probate of Lauderdale County, providing for payment into the general fund of the county of a portion of the commissions accruing to the judge of probate for remittance of money collected on the issuance and sale of motor vehicle licenses.

Local Legislation No. 1.

Notice and Proof H. 928:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate the compensation, fees and commissions of the judge of probate of Lauderdale County, providing for payment into the general fund of the county of a portion of the commissions accruing to the judge of probate for remittance of money collected on the issuance and sale of motor vehicle licenses.

Be It Enacted by the Legislature of Alabama:

Section 1. In Lauderdale County the judge of probate shall be entitled to retain for his own use and benefit the first $5,500.00 of the commissions deducted on the remittance of money collected in reference to the issuance and sale of motor vehicle licenses as provided in Code of Alabama 1940, Title 51, Section 712, as amended, and he shall pay over to the county, to be covered into the general fund of the county, the remainder of the total of all such commissions so deducted as provided in Section 712 of Title 51, as amended.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect October 1, 1969.

This Act is estimated to bring between $10,000 and $12,000 into the County General Fund annually.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard N. Hammell, who,

being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Florence Times-Tri-Cities Daily, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 16, June 23, June 30, and July 7, all in the year 1969.

RICHARD N. HAMMELL.

Sworn to and subscribed before me July 7, 1969.

ROBERT W. HILL, JR.,
Notary Public, State at Large.

By Messrs. Wright and Malone (with notice and proof):

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

Local Legislation No. 1.

Notice and Proof H. 929:

STATE OF ALABAMA
COUNTY OF ETOWAH

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the oundary lines and corporate limits for the town of Reece City in Etowah County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Reece City in Etowah County are hereby altered, rearranged and extended so as to include within the corporate limits of the town, in addition to the area now embraced within such corporate limits of the town, a tract of land more particularly described as follows:

The south half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, and the east half of the southwest quarter, all in Section 17, Township 11 South, Range 5 East, in Etowah County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ETOWAH

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur Ferguson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the The Etowah News Journal, a newspaper of general circulation published in Etowah County County, Alabama, and that the attached notice was published in said newspaper

once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, 12, 19, all in the year 1969.

ARTHUR FERGUSON.

Sworn to and subscribed before me June 19th, 1969.

MRS. OLIVE M. ELLIS,
Notary Public.

By Messrs. Wright and Malone:

H. 930. To apply only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; providing for taxing, collecting and remitting circuit court costs by the town or cities located therein, when a case has been appealed from a City Recorder's Court, Mayor's Court, Police Court or any municipal court to the Circuit court in such counties and the appeal is dismissed and case remanded, and when a town or city permits a defendant to pay a fine and cost to the town or city after transcript on appeal is filed in Circuit Court.

Local Legislation No. 1.

By Messrs. Bassett and Hardin (with notice and proof):

H. 931. To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Local Legislation No. 1.

Notice and Proof H. 931:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment made:

A BILL
TO BE ENTITLED
AN ACT

To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Be It Enacted by the Legislature of Alabama:

Section 1: There is hereby established the Inferior Court of Pike County with jurisdiction coextensive with the county of criminal and civil matters as hereinafter provided.

Section 2: (a) Except as provided in subsection (b), the court shall have jurisdiction of civil actions at law in which the matter or sum in controversy does not exceed One Thousand Dollars ($1,000.00) and, in addition, shall have jurisdiction in all actions, causes, matters, proceedings and cases (including paternity proceedings and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved,) heretofore, cognizable before the County Court, Juvenile Court and Justices of the Peace. It shall have authority to punish comptempts by fine not exceeding $50.00 or a term in the county jail not exceeding five days, or both. It may adopt and enforce rules and regulations relative to pleadings, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and rules of the Supreme Court governing the practice and procedure of Inferior Courts.

(b) The court shall have and exercise preliminary jurisdiction in felony cases, but the court shall not have jurisdiction to try persons charged with felonies or actions or ejectment or of any matter or proceeding cognizable only in equity; provided, that nothing herein shall be construed to limit or restrict the court in the exercise of the jurisdiction of the Juvenile Court.

(c) No criminal prosection shall be commenced in such court except by warrant upon sworn complaint issued by the clerk or his deputy or a magistrate (including a Justice of the Peace), or public official of Pike County authorized to issue warrants of arrest.

(d) The provisions of Chapter 7 of Title 13 of the Code of Alabama as the same may from time to time be amended, shall apply in all matters in which the court exercises the jurisdiction of the Juvenile Court.

(e) Appeals may be taken from final judgments or final orders of the court as follows: In criminal cases the appeal lies to the Circuit Court of Pike County and shall be governed by the provisions of Section 349 of Title 13, Code of Alabama. An appeal from judgments or orders made by the court in the exercise of jurisdiction of the Juvenile Court lies to the Circuit Court of Pike County and shall be governed by the provisions of Sections 362, 371 and 372 of Title 13, and Sections 95, 96 and 97 of Title 34, Code of Alabama. In civil cases the appeal lies to the Circuit Court of Pike County, and shall be governed by the provisions of Article 6 of Chapter 8, Title 13, Code of Alabama. In all appeals to the Circuit Court trial shall be de novo.

(f) The County Court of Pike County and the Juvenile Court of Pike County are abolished. All criminal and quasi criminal jurisdiction of Justices of the Peace in Pike County is abolished except jurisdiction to issue search warrants and warrants of arrest returnable to the Inferior Court of Pike County.

(g) In any civil action pending in the Inferior Court of Pike County, if the defendant files a plea of set off or recoupment claiming an amount in excess of $1,000.00 or otherwise asserting a cause of action not within the jurisdiction of the court, the judge shall enter an order transferring the case to the Circuit Court of Pike County where the same shall proceed as if originally commenced therein.

(h) The Inferior Court of Pike County shall be a court not of record and the judge shall not be prohibited from engaging in the practice of law.

Section 3: (a) The judge of the Inferior Court of Pike County shall be appointed by the Court of County Commissioners of Pike County, to hold office until September 30, 1970; his successors shall be appointed for terms of four years each beginning October 1, 1970 and every four years thereafter, by resolution of the Court of County Commissioners not less than thirty nor more than sixty days prior to the expiration of the term of the incumbent judge. No person shall be eligible to appointment as Judge of the Inferior Court of Pike County who is not learned in the law and a qualified elector of Pike County. The judge, shall, before entering upon the discharge of the duties of his office, take the oath prescribed by Section 279 of the Constitution of Alabama He may be removed from office for any cause enurmerated in Section 173 of the Constitution. Any vacancy occurring in the office of judge shall be filled by appointment of the Court of County Commissioners of Pike County, such appointment to be for the unexpired term.

Section 4: (a) The judge shall have authority to: (1) grant writs of habeas corpus, certiorari, supersedeas, quo warranto, mandamus,

and all other remedial and original writs which are granted by the judges of Circuit Courts at law; (2) administer oaths and take acknowledgments; (3) issue search warrants; (4) exercise, within the limits of the jurisdiction conferred by this Act, such other powers and authority as may now or hereafter be conferred by law upon judges of courts of like jurisdiction.

(b) The judge shall be provide, at the expense of the County, with such office supplies, stationary, stamps, and other materials as may be necessary for the transaction of the business of the court.

(c) In the event the judge is disqualified or unable to act a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the Code of Alabama.

(d) The judge shall receive an annual salary of Four Thousand, Eight Hundred Dollars (4,800.00), payable out of the general fund of the county in equal monthly installments.

Section 5: (a) The court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Tuesday in each month at the Courthouse for the trial of criminal cases, and on the first Thursday in each month at the Court House for the trial of civil actions at law. Special sessions may be held at such times as the judge shall designate. Sessions may continue so long as may be necessary for the court to complete its business. The judge shall be available at all times to receive guilty pleas, assess fines and enter such orders and judgments as may be appropriate.

(b) The sheriff shall attend the regular criminal sessions of the court in person or by deputy and shall attend other sessions when requested by the judge and shall receive the same compensation therefor for which he is now allowed for attending sessions of the County Court. He shall promptly execute all writs and processes of the court and perform such duties as may be directed by the Judge.

Section 6: In civil actions at law, the defendant shall be required to appear and plead, answer or demur, within twenty days from the service of process.

Section 7: All cases in the Inferior Court of Pike County shall be tried and all issues of fact decided by the judge without the intervention of a jury.

Section 8: In civil actions at law it shall be the duty of the clerk to tax, collect and remit the same costs and fees of the sheriff and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in such actions in the circuit court, except that there shall be taxed as clerk's fees the sum of $8.00 in each case, such fee to include services in garnishments or judgments in such cases; and in all criminal cases the same fees and commissions for the services of the clerk, sheriff, solicitor and witnesses and other court costs, including trial tax, as now or hereafter allowed by law to be taxed and collected in the county courts; provided, however, that in criminal cases involving violations of the Rules of the Road or statutes governing the operation of vehicles on public highways or game and fish laws, the clerk shall receive in lieu of all other fees the sum of $3.00 plus commissions, and, in such case, where the defendant pleads guilty, no solicitors fee and no trial tax other than fair trial tax.

Section 9: The County Solici- shall be taxed or collected.
tor or Deputy District Attorney shall prosecute for the State all criminal cases commenced in said court.

Section 10: The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the regis-

tration and enforcement thereof as provided by law with respect to judgments rendered by the circuit court.

Section 11: (a) The Clerk of the Circuit Court of Pike County shall be ex officio clerk and each Deputy Clerk of the Circuit Court of Pike County shall be ex officio a deputy clerk of the Inferior Court of Pike County. The clerk shall have authority to requisition at county expense such records, stationary, office supplies and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the court.

(b) It shall be the duty of the clerk to keep all the books, papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, summonses, subpoenas, writs, executions, commitments, and releases; (3) to fix bail and approve bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals; (6) to issue certificates of judgment, and (7) to exercise all power and authority which are now or may be hereafter conferred on clerks of circuit courts.

(d) The clerk shall attend all sessions of the court in person or by deputy.

Section 12: All cases and actions pending in the County Court of Pike County and in the Juvenile Court of Pike County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. The Inferior Court of Pike County shall have the same jurisdiction to enforce judgments heretofore rendered by the County Court of Pike County and the juvenile Court of Pike County and all judgment in criminal cases heretofore rendered by Justices of the Peace in Pike County in all respect as though the judgments had been rendered by it. This act shall not apply to nor affect any criminal or quasi criminal case pending in any Justice of the Peace Court of the county on the effective date hereof.

Section 13: The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14: All laws in conflict with this Act are, to the extent of the conflict, repealed.

Section 15: This act shall take effect on the first day of the month next following the date of its enactment.

STATE OF ALABAMA
PIKE COUNTY

Before me, Maurine Bryan, A Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn, deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill—Establish inferior court was published in said newspaper 4 times, the same appearing in the issues dated: June 6, 13, 20, 27, 1969.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 7th day of July 1969.

MAURINE BRYAN,
Notary Public,
Pike County, Ala.

By Messrs. Starnes, McDonald and Drake (with notice and proof):

H. 932. To amend Section 4 of Act No. 30, S. 5, Regular Session 1963 (Acts 1963, p. 404), an act to establish the County Court of Marshall County, so as to increase the salary of the judge of said court.

Local Legislation No. 1.

Notice and Proof H. 932:

STATE OF ALABAMA
COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 4 of Act No. 30, S. 5, Regular Session 1963 (Acts 1963, p. 404), an act to establish the County Court of Marshall County, so as to increase the salary of the judge of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 30, S. 5, Regular Session 1963 (Acts 1963, p. 404), relating to the County Court of Marshall County is amended to read as follows:

"Section 4. Salary of Judge. That the judge of said court shall receive a salary of $12,500 per annum, payable in equal monthly installments out of the general funds of the county at the end of each month, his signed receipt being required."

Section 2. This act shall become effective at the expiration of the term of office of the incumbent judge of the County Court of Marshall County.

STATE OF ALABAMA
MARSHALL COUNTY

Before me, a Notary Public, in and for said State and County personally appeared the undersigned, Jesse A. Culp, who, being first duly sworn according to law, desposes and says that he is the publisher of The Sand Mountain Reporter, a newspaper of general circulation, published at Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated May 24, 1969, May 31, 1969, June 7, 1969, June 14, 1969.

JESSE A. CULP,
Publisher.

Sworn to and subscribed before me this the 18th day of June, 1969.

MIRIAM BRENSOLE,
Notary Public.

By Mr. Pearson (with notice and proof):

H. 933. Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

Local Legislation No. 1.

Notice and Proof H. 933:

A BILL
TO BE ENTITLED
AN ACT

Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

Be It Enacted by the Legislature of Alabama:

Section 1. In Autauga County the Chief Deputy Sheriff shall be entitled to a salary not less than $4,000 nor more than $6,000 per annum, which shall be fixed and determined by the Board of Revenue and Control, Court of County Commissioners, or other like Governing Body of the County and shall be paid from the County Treasury in the manner prescribed by law.

Section 2. The deputies of the Sheriff, other than the Chief Deputy, whose compensation is payable by the County, not exceeding three in number, shall each be entitled to a salary of not less than $3,000 nor more than $5,400 which shall be fixed and determined by the Board of Revenue and Control, Court of County Commissioners or other like County Governing Body, and shall be paid in equal monthly installments from the County Public Highway and Traffic Fund or the County General Fund, as the Court of County Commissioners, Board of Revenue and Control, or other like Governing Body of the County may direct; in equal monthly installments upon warrants drawn on the County Treasury, in the manner prescribed by law.

Section 3. The Governing Body of Autauga County is further authorized to provide additional expense allowance to the Sheriff's Department which in their discretion is necessary and needed to maintain law and order in Autauga County. Such additional salary and expense allowance shall be paid from the County Public Highway and Traffic Fund or the General Fund of the County as the County Commissioners, Board of Revenue and Control, or other like Governing Body of the County may direct.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall become effective immediately upon it's passage and approval by the Governor or upon it's otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Norman E. Ridenhour, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the THE PRATTVILLE PROGRESS, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the

State of Alabama, said notice having appeared in the issues of said paper on June 5, June 12, June 19, and June 26, all in the year 1969.

NORMAN E. RIDENHOUR.

Sworn to and subscribed before me this 26th day of June, 1969.

LINDA H. BREEDLOVE,
Notary Public.

My Commission Expires Dec. 9, 1970.

By Messrs. Pruitt and Manley (with notice and proof):

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

Local Legislation No. 1.

Notice and Proof H. 934:

STATE OF ALABAMA
COUNTY OF SUMTER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the town of Livingston in Sumter County are hereby altered, rearranged and extended so as to incorporate within the corporate limits of the town the following described territory, to wit:

The southwest quarter of Section 33, and the northwest quarter of the southeast quarter of Section 33, Township 19 N, Range 2 West.

The west half of the northwest quarter and the north half of the southwest quarter, west of Klondike Road, in Section 4, Township 18 N, Range 2 West.

The east half of the east half of the northwest quarter and the northeast quarter of Section 5, Township 18 N, Range 2 West, all in Sumter County, Alabama.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Sumter County Journal, a newspaper cf general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for

four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 22, May 29, June 5, and June 12, all in the year 1969.

DICK SMITH.

Sworn to and subscribed before me June 25, 1969.

LOUISE W. HANLEY,
Notary Public.

By Mr. Williams (with notice and proof):

H. 935. To provide for the compensation of jurors in Jackson County.

Local Legislation No. 1.

Notice and Proof H. 935:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced at the Regular Session of the Legislature or in some future Special Session and its enactment and passage sought, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Jackson County.

Be It Enacted by the Legislature of Alabama:

Section 1. All grand and petit jurors, serving in Jackson County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on January 1, 1970.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, and June 15, all in the year 1969.

FRED J. BUCHHEIT.

Sworn to and subscribed before me June 27, 1969.

EVELYN TUBBS,
Notary Public.

By Mr. Williams (with notice and proof):

H. 936. To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

Local Legislation No. 1.

Notice and Proof H. 936:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 4 of Act No. 69, H. 74 of the Second Special Session of 1959 (Acts 1959, p. 238) is hereby amended to read as follows:

"Section 4. The Judge of the court hereby created shall receive a salary of Twelve Thousand ($12,000.00) Dollars per annum, payable in equal monthly installments out of the County Treasury at the end of each month, his signed receipt being required. Such salary shall include any compensations and allowances presently due such judge."

Second 2. This act shall become effective upon the expiration of the term of office of the judge of the Jackson County Court who is the incumbent in such office when this act becomes law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Sentinel Age, a newspaper of general circulation published in Jackson County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1969.

FRED J. BUCHHEIT.

Sworn to and subscribed before me June 30, 1969.

EVELYN TUBBS,
Notary Public.

My Commission Expires 12 Nov., 1970.

By Mr. Williams:

H. 937. To apply to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Deputy District Attorney or County Solicitor for said counties a full time secretary and to fix the salary therefor.

Local Legislation No. 1.

By Mr. Williams:

H. 938. To provide an additional expense allowance for the members of the county board of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

Local Legislation No. 1.

By Messrs. Crawford and Stembridge:

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

Local Legislation No. 1.

By Mr. Lemley:

H. 940. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blount County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Cook (Jefferson), Bowers, Meeks, Waggoner, Holman, Kilgore, Jackson (T), Gloor, Adwell, House, Sessions, Dill, Crane, Cherner and Gafford (with notice and proof):

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

Local Legislation No. 2.

Notice and Proof H. 941:

Notice of intention to apply for passage of a Local Law in the 1969 Regular Session of the Legislature of Alabama.

A BILL
TO BE ENTITLED
AN ACT

For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being

by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 7, 14, 21, 28, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 30th day of June, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Cook (Jefferson), Sessions, House, Waggoner, Holman, Ellis, Adwell, Yeilding, Money, Weeks and Watkins (with notice and proof):

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Local Legislation No. 2.

Notice and Proof H. 942:

Notice is hereby given that at the Regular Session of the Legislature of 1969, now convened, application will be made for adoption of the following Act:

A BILL
TO BE ENTITLED
AN ACT

To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied, to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provided for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census; to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in Jefferson County.

Section 2. As used herein, the words and terms defined in this Section 2 shall have the meanings hereby ascribed to them. "County" means Jefferson County. The term "effective date of the Act" means the first day of the calendar month next following the calendar month in which this Act is adopted.

Section 3. (a) The taxes levied by this act shall become effective, or go into effect, on the first day of the calendar month next following the calendar month in which this Act is adopted.

(b) Commencing on the effective date of the taxes, as specified in subsection (a), above, in addition to all other taxes imposed by law, there is hereby levied and shall be collected by the Director of Revenue as herein provided a privilege or license tax in the amount hereinafter prescribed against every person engaging in the County in the business of renting or furnishing any room or rooms, lodging or accommodations, to any transients in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are regularly furnished to transients for a consideration. The Director of Revenue

shall deduct and pay to the treasury of the county one percent (1%) of the total amount of the said taxes, to compensate the county for the expenses incurred by it in collecting said taxes and in administering this act. Following that deduction, the Director of Revenue shall pay the remainder of the taxes to the convention and tourism authority of the county created under the Act adopted during the Regular 1969 Session of the Legislature providing for a convention and tourism authority in counties having a population of five hundred thousand or more. The amount of the tax shall be equal to one percent (1%) of the charge for such rooms, lodgings or accommodations, including the charge for use or rental of personal property and services furnished in such room or rooms. Commencing on the effective date of the taxes there is also hereby levied, in addition to all other taxes now imposed by law, a privilege or license tax, in the amount hereinafter prescribed, against every person engaged in the County in the business of renting or furnishing space for accomodation of trailers. The amount of the last mentioned tax shall be equal to one percent (1%) of the charge for such trailer space.

There are exempted from the provisions of the tax levied by this Section 3 and from the computation of the amount of the tax levied or payable hereunder the following: Charges for property sold or services furnished which are required to be included in the tax levied by Act No. 100 of the Second Special Session of 1959 of the Legislature of Alabama (Ala. Acts 1959, page 298 et seq.), as amended, said Act being commonly referred to as the State Sales Tax Act; boarding houses, tourist homes and similiar establishments regularly offering less than five (5) rooms for rental to transients; charges for the rental of rooms, lodgings or accommodations furnished by any hospital, nursing home, convalescent home or by any charitable or elemosynary institution; charges for the rental of rooms, lodgings or accommodations to a person for a period of thirty (30) continuous days or more; charges for the renting or furnishing of space for the accommodation of a trailer to a person for a period of thirty (30) continuous days or more. The exemption hereby provided shall apply to any property sold or services furnished which are required to be included in any sales tax now or hereafter levied by the State of Alabama.

(c) The taxes levied by this Section 3, except as otherwise provided herein, shall be due and payable on or before the 20th day of the month next succeeding the month in which the tax accrues. On or before the 20th day of each month after the effective date of the taxes every person on whom the tax is levied by this Section 3 shall render to the Director of Revenue on a form prescribed by him, a true and correct statement showing the gross proceeds of the business subject to the said tax for the then preceding month, together with such other information as the Director of Revenue may demand and require; and at the time of making such monthly report the taxpayer shall compute and pay to the Director of Revenue the amount of taxes shown to be due; provided, however, that any person subject to the tax who conducts any business on a credit basis may defer reporting and paying the tax until after said person has received payment for the items, articles or accommodations furnished; and in the event he so defers reporting and paying any such taxes he shall thereafter include in each monthly report all credit collections made during the then preceeding month and shall pay the amount of taxes computed thereon at the time of filing such report.

(d) It shall be the duty of every person engaged or continuing in any business subject to the taxes levied by this Section 3 to keep and preserve suitable records of the gross proceeds of such business and such other books or accounts as may be necessary to determine the amount of tax for which he is liable under the provisions of this act.

Such records shall be kept and preserved for a period of five (5) years and shall be open for examination at any time by the Director of Revenue or by any duly authorized agent, deputy or employee of the said Director.

(e) Any person who fails to pay the tax levied by this Section 3 within the time required by this act shall pay in addition to the tax a penalty of ten percent (10%) of the amount of tax due, together with interest thereon at the rate of one-half of one percent (½ of 1%) per month or fraction thereof from the date on which the tax became due and payable, such penalty and interest to be assessed and collected as a part of the tax; provided, however, that the Director of Revenue may, if good and sufficient reason be shown, waive or remit the penalty or any portion thereof.

Section 4. The failure of any person to pay any tax levied by this act within the time specified for the payment of the same by the act shall constitute a misdemeanor; and the violation of any of the provisions of this act by any person shall constitute a misdemeanor. Any person violating any provision of this act shall upon conviction be punished by fine of not more than five hundred dollars ($500) and may also be sentenced to hard labor for the County for not exceeding six (6) months, either or both, unless a different punishment is prescribed herein.

Section 5. None of the provisions of this act shall be applied in such manner as to violate the commerce clause or other clauses of the Federal Constitution or any clause of the Constitution of Alabama. Should any provision of this act be held invalid, the invalidity thereof shall not affect the remaining provisions of the act.

Section 6. All laws and parts of laws, whether general, special or local, in conflict with the provisions of this act are hereby repealed to the extent of such conflict; provided, however, it is not intended by the provisions of this section to repeal or affect in any way the privilege or license tax levied by any of the following Acts: Act No. 248 of the Regular Session of the Legislature of Alabama of 1955 (Ala. Acts 1955, p. 586), as amended by Act No. 269 of the Regular Session of the Legislature of Alabama of 1963 (Ala. Acts 1963, p. 715), and Act No. 525 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts 1965, p. 775).

Section 7. There are hereby repealed all existing ordinances of all municipalities within the county imposing, or levying any license tax on the hotel, motel or tourist court business based on the gross receipts of such business or on a percentage of the charges made for rooms, lodgings or accommodations. Such repeal of municipal ordinances shall not impair the power of the governing body of any municipality to reenact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business or on a percentage of the total charges made for rooms, lodgings or accommodations.

Section 8. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law; but the taxes levied by this act shall not go into effect, or become effective, until the date specified in subsection (a) of Section 3 of this act.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 7, 14, 21, 28, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 30th day of June, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Culver, Robertson and Brown:

H. 943. Relating to counties having a population of not less than 100,000, nor more than 115,000; fixing the compensation of certain officers in such counties.

Local Legislation No. 1.

By Messrs. Culver, Robertson and Brown (with notice and proof):

H. 944. To amend further Act No. 56, H. B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76), an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Local Legislation No. 1.

Notice and Proof H. 944:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 56, H.B. 285, Regular Session 1953, approved June 3, 1953 (Acts 1953, p. 76) an act levying additional privilege or license taxes in Tuscaloosa County, so as to change the rates of such taxes and provide for a division of the proceeds of the revenue derived from the taxes.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 56, H.B. 285, Regular Session 1953, an act levying additional privilege or license taxes in Tuscaloosa County (Acts 1953, p. 76), is hereby amended to read as follows:

"Section 1. Definitions. The following words and phrases, wherever used in this act, shall have the following respective meanings:

"The words 'the state' mean the State of Alabama.

"The words 'the county' mean Tuscaloosa County in the state.

"The words 'the city' mean the City of Tuscaloosa in the state.

"The words 'the county board of education' mean the board of education of Tuscaloosa County, Alabama.

"The words 'the city board of education' mean the board of education of the City of Tuscaloosa, Alabama.

"The words 'the hospital board' mean the Druid City Hospital Board created by Act No. 540 adopted at the 1947 Regular Session of the Legislature of Alabama, approved October 8, 1947.

"The words 'the tax board' mean the Tuscaloosa County Special Tax Board created in Section 9 of this act.

"The words 'state sales tax statutes' mean the provisions of Act No. 100, adopted at the Special Session of the Legislature of Alabama which convened on June 24, 1959, as amended and supplemented before March 2, 1967.

"The words 'state use tax statutes' mean the provisions of Article 11 of Chapter 20, Title 51, Code of Alabama of 1940 as amended and supplemented before March 2, 1967.

"The words 'quarterly period' mean each period of three calendar months commencing on each January 1, April 1, July 1, and October 1.

"Pronouns include all genders.

"Those of the words and phrases used in Section 3 of this act that are defined in the state sales tax statutes shall have the meanings respectively given them in the state sales tax statutes. Those of the words and phrases used in Section 4 of this act that are defined in the state use tax statutes shall have the meanings respectively given them in the state use tax statutes."

Section 2. Section 3 of said Act No. 56 of 1953, as amended, is amended further to read as follows:

"Section 3. Levy of Sales Tax. There is hereby levied in the county, in addition to all other taxes of every kind now imposed by law, and shall be collected as herein provided, a privilege or license tax against the person on account of the business activities and in the amount to be determined by the application of rates against gross sales, or gross receipts, as the case may be, as follows:

"(a) Upon every person, firm, or corporation (including the University of Alabama, and all other institutions of higher learning in the county, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged, or continuing within the county, in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidences of debts or stocks) an amount equal to two per cent (2%) of the gross proceeds of sales of the business, except where a different amount is expressly provided herein; provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such business at

the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as a retailer on the gross sales of the entire business.

"(b) Upon every person, firm, or corporation engaged, or continuing within the county, in the business of conducting, or operating, places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football, basketball, and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be a denominational, state, county, or municipal institution or association or a state, county, or city school, or other institution, association, or schools, skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description within the county, an amount equal to two per cent (2%) of the gross receipts of any such business.

"(c) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail any automotive vehicle or truck trailer or semi-trailer, an amount equal to one-half of one per cent (½ of 1%) of the gross proceeds of the sale of said automotive vehicle or truck trailer or semi-trailer. Where any used automotive vehicle or truck trailer or semi-trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

"(d) Upon every person, firm, or corporation engaged or continuing within the county in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to three-fourths of one per cent (¾ of 1%) of the gross proceeds of the sale of such machines; provided, that the term 'machines,' as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

"Each exemption provided for in the state sales tax statutes, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state sales tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. In addition thereto, and except as expressly enumerated hereinabove, there are hereby exempted from the tax levied in this section the gross receipts or gross proceeds of any business engaged in by any city or town in Tuscaloosa County. In the absence of any express provision herein to the contrary, all provisions and procedures with respect to the application for and issuance of licenses, the making of returns or reports, the contents of returns or reports, collection and payment of taxes, keeping of records, reporting and paying taxes with respect to sales on credit, determination of the amount of the tax due, penalties,

assessments, notices, and examinations of taxpayers and their books provided for in the state sales tax statutes with respect to the tax levied in those statutes shall be applicable to the tax levied in this section, excepting however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided however that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state sales tax statutes shall be deemed to apply, with respect to the tax levied in this section, to the tax board. Every person, firm, or corporation engaged in any business upon which the tax levied in this section is imposed shall add the tax herein levied to the sales and admission price with respect to which the said tax is levied and shall collect the same from the purchaser.

"(e) The sale of school lunches sold by all public and private schools in Tuscaloosa County, Alabama, is hereby expressly exempted.

"(f) Any person who is obligated to furnish materials under a written construction contract entered into before the effective date of this amendatory act shall be entitled to a refund of fifty per cent (50%) of any tax paid after the effective date of the act on account of materials purchased and furnished in accordance with the contract, provided his claim therefor, supported by vouchers, invoices, and receipts showing payment of the tax, is filed with the authority collecting the tax on or before the thirtieth day of the month next succeeding the quarterly period in which the tax was paid."

Section 3. Section 4 of said Act No. 56 of 1953 is hereby amended to read as follows:

"Section 4. Levy of Use Tax.

"(a) An excise tax is hereby imposed on the storage, use or other consumption in the county of tangible personal property purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of two per cent (2%) of the sale price of such property, regardless of whether the retailer who made the sale is or is not engaged in business in the county, except as provided in subsections (b) and (c) of this section.

"(b) An excise tax is hereby imposed on the storage, use or other consumption in the county of any automotive vehicle or truck trailer and semi-trailer purchased at retail on or after the effective date of this amendatory act, for storage, use or other consumption in the county at the rate of one-half of one per cent (½ of 1%) of the sales price of such automotive vehicle, truck trailer or semi-trailer.

"(c) An excise tax is hereby imposed on the storage, use or other consumption within the county of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, purchased at retail on or after the effective date of this act, at the rate of threefourths of one per cent (¾ of 1%) of the sales price of any such machine; provided, that the term 'machine,' as herein used, shall include machinery which is used for mining, quarrying, compounding, or processing, or manufacturing tangible personal property, and parts of such machines, attachments, and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

"Every person storing, using or otherwise consuming in the county tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid; provided, however, that a receipt from a

retailer maintaining a place of business in the county, showing that the property in question was purchased at retail from such retailer and the tax levied in Section 3 hereof has been paid with respect to the purchase at retail of such property shall be sufficient to relieve the purchaser from further liability for a tax under this section with respect to the use, storage, or consumption of such property, Each exemption provided for in the state use tax statutes as amended by Act No. 99 of the 1959 Special Session of the Legislature of Alabama, approved August 18, 1959, and as they may from time to time hereafter be amended, shall, during the period of time when such exemption shall be effective in said statutes, be applicable to the tax levied in this section; provided, that in the event of the repeal of the state use tax statutes, as at any time amended, the exemptions effective therein immediately prior to any such repeal shall thereafter be applicable to the tax levied in this section. All provisions and procedures with respect to the filing of returns, collections and payment of taxes, keeping of records, making of reports, determination of the amount of the tax due, penalties, assessments, notices, examinations of tax payers and their books provided in the state use tax statutes, as hereafter amended, with respect to the tax levied in those statutes shall be applicable to the tax levied in this section excepting, however, the procedure for appeals from assessments, and such appeals shall be made as hereinafter set forth; provided, however, that any procedure or provisions involving the State Department of Revenue which is incorporated herein by reference to the state use tax statutes shall be deemed to apply, with respect to the tax levied in this section to the tax board."

Section 4. Section 11 of said Act No. 56 of 1953 is hereby amended to read as follows:

"Section 11. Disposition of Revenues. Any and all expenses, including (but without limitation to) salaries, office rent, and other expenses that may be necessary to provide for the collection and distribution of the taxes herein levied as may be authorized or approved by the tax board, shall be deducted by the tax board and paid out of the proceeds from said collections before any distribution of said proceeds, After deduction of said expenses, the tax board shall distribute the remaining proceeds from the said taxes as follows:

"(a) Thirty-two and one-half per cent (32½%) of said proceeds remaining shall be paid to the City of Tuscaloosa for general municipal purposes;

"(b) Five per cent (5%) of said proceeds remaining shall be paid to the City of Northport for general municipal purposes;

"(c) Twelve and one-half per cent (12½%) of said proceeds remaining shall be paid to Tuscaloosa County for general County purposes;

"(d) Ten per cent (10%) of said proceeds remaining shall be paid to the hospital board, which shall use said proceeds solely to defray all or a part of the costs of any hospital operated by the hospital board for hospital services furnished to charity patients who are residents of the county, including any municipality therein:

"(e) Twenty per cent (20%) of said proceeds remaining shall be paid to the county board of education, which shall use said proceeds solely for public school purposes in the county, including (but without limitation to) payment of any warrants, notes and other obligations of the county board of education which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and

related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such buildings and acquiring sites therefor;

"(f) Twenty per cent (20%) of said proceeds remaining shall be paid to the city, which shall use said proceeds solely for public school purposes in the city, including (but without limitation to) payment of any bonds, warrants, notes and other obligations of the city which have heretofore or may hereafter be issued for any public school purposes, together with the interest thereon and the necessary expenses in connection with the issuance thereof, acquiring, providing, or constructing school houses and related buildings necessary or convenient for public school purposes, and equipping, furnishing, maintaining, repairing or replacing any such building and acquiring sites therefor.

"The proceeds for which distribution is provided in subsections (a), (b), (c), (d), (e), and (f) of this section shall be paid over to the beneficiaries thereof, respectively, on or before the tenth day of the calendar month next succeeding the calendar month in which said proceeds shall have been received by the tax board. The tax board is hereby authorized to retain on hand at all times as a revolving or contingent fund for payment of its expenses, as provided for in section 9 (c) of this act, such amount of said tax proceeds as it deems expedient; provided, that as disbursements are made from said revolving or contingent fund the tax board shall have the power, immediately or at such time as it deems convenient, to restore the moneys so disbursed out of the proceeds from the taxes herein levied; and provided, further, that the said revolving or contingent fund shall not at any time exceed ten per cent (10%) of the collections made under this act during the then preceding calendar month."

Section 5. This act shall become effective on the first day of the first calendar month next following the date of its enactment.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 5, June 12, June 19, and June 26, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me June 26, 1969.

LULLENE DUBOSE,
Notary Public.

By Messrs. Lybrand, Merrill and Burgess (with notice and proof):

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Local Legislation No. 1.

Notice and Proof H. 945:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the City the following described territory in addition to the area now embraced within such boundaries and corporate limits, to-wit:

That part of Section 22, Township 16, Range 8, Calhoun County, Alabama, lying North of U. S. Highway No. 78, West of Lee Brothers Road, South of Southern Railway and East of Oconee Cemetery.

SW ¼ of Section 34, Township 16 South, Range 8 East, situated in Calhoun County, Alabama, and consisting of 160 acres.

South Half of the SE ¼ and the SE diagonal one half of the North ½ of the SE ¼, Section 33, Township 16 South, Range 8 East, LESS 20 acres on the West end situated in Calhoun County, Alabama, consisting of 105 acres.

All that land lying North of I-20 and South of Highway 78, being 200 acres, more or less, in Sections 27 and 28, Township 16 South, Range 8 East, Calhoun County, Alabama, and

Section 2: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph M. Parkman, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Vice Pres. of the Oxford Sun, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6/4, 6/11, 6/18, and 6/25, all in the year 1969.

RALPH M. PARKMAN.

Sworn to and subscribed before me June 26, 1969.

LOUISE J. BATES,
Notary Public.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 946. To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

Local Legislation No. 1.

Notice and Proof H. 946:

LEGAL NOTICE

Notice is hereby given in accordance with the provisions of Section 106 of the Constitution of Alabama that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made:

The bill will provide for the government and control by civil service regulations of certain employes and classes of employes in the sheriff's department of Calhoun County. It will provide for the establishment of a civil service board in such county. It will prescribe the duties, authority and powers of this board and prescribe the qualifications of members, thereof. It will also provide for their appointment and compensation and fix their terms of office in such manner that the terms of the members will be staggered. It will provide officers for the board, prescribe the terms for meetings of the board, and regulate the keeping of minutes of the board. It will provide that all employes of the sheriff's department of Calhoun County except the chief deputy shall be employed, hold their positions, be promoted, demoted and discharged or removed pursuant to the act.

The bill will specifically provide that it shall apply to and govern all persons presently or hereafter employed by the sheriff's department of Calhoun County, subject to the exception above enumerated, and that all such persons shall remain and continue in their respective employments during good behavior, efficiency and obedience to such rules and regulations as may be, from time to time, prescribed by the civil service board thereby established. It will, however, specifically provide that nothing contained in the bill shall be construed to preclude the discharge or removal of an unsatisfactory employe, provided such discharge or removal is accomplished in the manner prescribed in the Act. The bill will provide for the adoption, printing, publication and distribution of rules and regulations governing employment by the sheriff's department of Calhoun County in accordance with the provisions of the bill. The bill will provide for and regulate applications for employment by the sheriff's department of Calhoun County and the examination of applicants for such employment. It will also prescribe an examination fee to be paid by each applicant for an examination, the proceeds of which shall be used to help defray the expenses of preparing and conducting the examinations and setting up and administering the civil service system. It will prescribe the procedures to be followed in filling vacancies in the sheriff's department by the sheriff and by the civil service board, and will provide for the temporary employment of such employes as are needed in emergencies.

The bill will provide for appeals from rulings and decisions of the board, and prescribe the procedure for hearings thereof by the board. It will also provide for the review of decisions of the board by the circuit court of Calhoun County and appeals from the decisions of such court to the Court of Appeals of Alabama or to the Supreme Court of this State.

The bill will provide for the payment of the expenses involved in establishing and maintaining the civil service system of Calhoun County.

Certain political activities by employes of the Sheriff's department of Calhoun County who are subject to the civil service system will be prohibited, as well as certain activities relative to the employment of these persons by the sheriff of Calhoun County.

The bill will provide that any violation of the law thereby proposed is a misdemeanor and prescribe penalities, including as a penalty in the case of violations by employes of the sheriff's department of the county forfeiture of the right to re-employment in such department for a prescribed term.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6th, 13th, 20th, and 27th, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me July 2, 1969.

LOLA J. BRIGHT,
Notary Public.

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 269. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

H. 566. To provide for inclusion of shelters from radioactive fallout in new public buildings and structures erected in the state wherein the use of state funds are involved, including all public school buildings and structures and buildings or structures of colleges and universities.

H. 567. To authorize municipalities and county governing bodies to require the inclusion of radioactive fallout protection in new public buildings or structures.

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 345. To authorize state, county and municipal employees to organize for collective bargaining purposes; to allow the state, counties, municipalities and their agents to recognize employee organizations and designated bargaining units, and to negotiate with such bargaining units as to certain working conditions; to provide for designation and composition of the bargaining units by the State Department of Labor; to provide for arbitration of disputed matters; to prohibit the right to strike; and to repeal conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 794. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

H. 851. Relating to counties having populations of not less than 14,500 nor more than 14,900; to provide for the qualifications of the superintendent of education in any such county.

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

H. 871. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

H. 876. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

H. 878. Relating to Marshall County; providing further for the salary and other allowances for the register of the circuit court; repealing conflicting laws and specifically repealing conflicting provisions of Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754)

as amended, an act changing the method of compensating certain officers of Marshall County, and specifically repealing Act No. 350, of the Regular Session of the 1965 Legislature.

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

S. 466. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers, and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk.

S. 467. Relating to Tallapoosa County; to abolish the office of County treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 183. To make an appropriation for the use of the board of adjustment for making awards to widows and dependents of certain peace or law enforcement officers and firemen killed in line of duty.

Also:

S. 184. To amend Act 833, S. 128 Regular Session 1965 (Acts of Alabama 1965, p. 1564), an act creating the State Employees' Insurance Board so as to increase the employers maximum contribution.

Also:

S. 230. To make an additional appropriation to the Division of Forestry of the Department of Conservation for the fiscal year ending September 30, 1969.

Also:

S. 241. To authorize the state comptroller to close out certain inactive funds in the state treasury and transfer the balance in such funds to the state general fund.

Also:

S. 250. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding $4,000,000 for the purpose of financing the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the purpose of financing the construction, dredging of approaches thereto and equipment of works of internal improvement for use and operation as a part of additional State Docks facilities.

Also:

S. 276. To provide for the payment of compensation of officers, agents and employees of the Department of Public Safety, and to provide for the payment of expenses for subsistence and necessary equipment of the department when such officers, agents or employees shall be called upon by the Governor, or the appointing authority of the department, to perform duties relating to the control of civil disturbances, the restoration or preservation of the public order, or to perform rescue or protective duties at a natural or man-made disaster extending beyond twenty-four hours.

Also:

S. 289. Relating to displacement of individuals, families, farm operations, businesses and non-profit organizations; providing that payments may be made to them as a result of moving from their home, farm, or business due to acquisition of their property for highway construction purposes; providing that relocation moving payments be considered a part of highway construction; providing that the Highway Department may provide a relocation advisory assistance program in keeping with this Act; providing optional modes of payment to those displaced and covered under this Act; authorizing the Highway Director to adopt rules and regulations to carry out the provisions of this Act; authorizing the Highway Director to adopt applicable federal rules and regulations to implement this Act and to comply with the relocation assistance provisions of the Federal-Aid Highway Act of 1968 and subsequent Federal Acts related thereto; repealing Section 39 (2), Title 23, Code of Alabama, 1940, recompiled 1958; to provide how this Act may be cited; and to provide a severability clause.

Also:

S. 301. To amend further Section 3 of Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as heretofore

amended, so as to reallocate the revenues derived from the tax authorized by the said Act and to appropriate so much of the said revenues as may be necessary for the retirement of additional bonds of the State Industrial Development Authority not exceeding $3,000,000.00 in aggregate principal amount.

Also:

S. 302. To authorize the State Industrial Development Authority to sell and issue from time to time its bonds not exceeding $3,000,000.00 in principal amount in addition to those heretofore authorized to be issued by it; to prescribe certain additional powers and duties of the Authority, including the power to make grants from the proceeds of said additional bonds to counties, municipalities, and local industrial development boards, subject to certain limitations, for the purposes of making certain local surveys incidental to industrial development and to grade and drain industrial sites and the means of access thereto; to provide that the Authority may issue and sell such bonds for the purpose of making the said grants; to provide that such bonds and the income therefrom shall be exempt from taxation, that such bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, shall be legal for investment of fiduciary funds and funds of the Teachers' Retirement System of Alabama, the Employees' Retirement System of Alabama and the State Insurance Fund, and shall not create an obligation or debt of the State; to provide that all bonds issued by the Authority may thereafter be refunded by the issuance of refunding bonds; to provide for the deposit, investment and disposition of the proceeds of the sale of the bonds of the Authority; to make an appropriation and pledge of funds from the Special Tax levied by Act No. 654 adopted at the 1965 Regular Session of the Legislature of Alabama, as amended, to the extent necessary to pay the principal of and interest on bonds of the Authority, to authorize the Authority to pledge the funds so appropriated for the payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from the funds so appropriated; and to provide that the State Treasurer shall be the custodian of the funds of the Authority.

Also:

S. 364. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Also:

S. 365. To provide a cost of living increase to certain retired members of the Employees' Retirement System of Alabama.

Also:

S. 366. To amend Sections 3, 5, 7 and 8 of Act No. 515, HB 93, approved July 9, 1945, (General Acts 1945, Page 734) as amended, which relates to the Employees' Retirement System of Alabama.

Also:

S. 372. To appropriate the sum of Five Thousand Dollars ($5,000.00) to cover costs incurred by the Game and Fish Division of the Department of Conservation of the State of Alabama in hosting the annual meeting of the Southeastern Association of Game and Fish Commissioners.

Also:

S. 387. To provide for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Also:

S. 307. Relating to state employment; providing for payment of certain expenses of job transference.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 433. Relating to counties having a population of not less than 76,000 and not more than 96,000 according to the last and any subsequent federal decennial census; to authorize county governing bodies to provide clerk hire allowances for the offices of the county solicitor or deputy district attorney.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:45 P. M. On July 8, 1969.

H. 741

H. 742

H. 743

H. 13

H. 433

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Blanton, the House adjourned until Thursday, July 10, 1969, at 12 o'clock Noon.

Yeas 50; Nays 34.

Yeas:

Mr. Speaker	Fine	Laxson	Perloff
Bassett	Foshee	Lemley	Sessions
Berryman (R)	Garrett	Malone	Shumate
Brannan	Grayson	Marr	Snell
Brassell	Hain	Mathews	Starnes
Burgreen	Hardin	Mays	Steagall
Collier	Harper	Money	Stembridge
Crane	Harris	Neville	Tuck
Crawford	Haygood	Owen (Baldwin)	Watkins
Dill	Holladay	Owens (W.E.)	Weeks
Doss	Holman	Paulk	Wood
Downing	Jackson (F)	Pearson	Yeilding
Drake	Kilgore		—50

Nays:

Messrs.:	Culver	Jones	Owens (W)
Adwell	Ellis	Lybrand	Pennington
Agee	Gafford	McCorquodale	Robertson
Brown	Gloor	McDonald	Smith
Cameron	Grainger	McElhaney	Springer
Cherner	Hill	McLain	Turnham
Collins (C)	Hobbie	Meeks	Williams
Collins (W)	House	Merrill	Wright
Cook (Coffee)	Jackson (T)	Nettles	—34

SEVENTEENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, July 9, 1969

The House did not meet today.

EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, July 10, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Dun Gordy, Pastor, Robinson Springs Baptist Church, Robinson Springs, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (T)	Pennington
Adwell	Doss	Jones	Perloff
Agee	Downing	Kilgore	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Foshee	Malone	Slate
Bolton	Gafford	Marr	Smith
Bowers	Garrett	Mathews	Snell
Brannan	Gloor	Mays	Springer
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Burgess	Hain	McElhaney	Stembridge
Burgreen	Harper	McLain	Stubbs
Cameron	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Turnham
Collier	Headley	Melton	Waggoner
Collins (C)	Higginbotham	Merrill	Watkins
Collins (W)	Hill	Money	Weeks
Cook (Coffee)	Hobbie	Nettles	Williams
Cook (Jefferson)	Holladay	Neville	Wood
Crawford	Holman	Owen (Baldwin)	Wright
Culver	House	Owens (W)	Yeilding
Dill	Jackson (F)	Pearson	Young

—96

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Cook (Jefferson), leave of absence was granted to Mr. Crane because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the sixteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixteenth legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge in connection with the proposed waterway project; to prescribe

the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate bill:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000: and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Burgess:

H. J. R. 69. WHEREAS Richard A. Curley of Talladega, Alabama, while on duty as a Specialist 4th Class in the 30th Support and Transportation Battalion, Alabama National Guard, was tragically killed in a motor vehicle accident on the way to National Guard summer encampment at Camp Shelby, Mississippi, and

WHEREAS Richard A. Curley had selflessly devoted his time and energy in the military service of his country and state, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the needless and tragic death of this fine young man who symbolized the spirit of the citizen-soldier, and express our deepest sympathy to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the family of Richard A. Curley.

On motion of Mr. Burgess, the rules were suspended and H. J. R. 69 was adopted.

Also:

By Mr. Burgess:

H. J. R. 70. WHEREAS Pat W. Mysinger of Northport, Alabama, on June 29, 1969, while on duty with Company A, First Mechanized Battalion, 167th Infantry Regiment, Alabama National Guard, heroically went to the aid of a fellow guardsman who was burning as a result of a motor vehicle accident; extinguished the flames, and carried the victim to a safe place, and

WHEREAS Pat W. Mysinger suffered severe burns about the arms and hands as a result of this courageous act, and

WHEREAS Pat W. Mysinger received the Alabama Commendation Medal from the Honorable Albert P. Brewer, Governor of this state at the annual Governor's Day observance at Camp Shelby, Mississippi, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we gratefully extend our congratulations to Pat W. Mysinger for his dauntless and selfless actions in aid of his fellowman, and join with the Governor, the state, and the nation in commending him for his gallant behavior.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Mr. Mysinger, and to Major General Alfred C. Harrison, Adjutant General of Alabama.

On motion of Mr. Burgess, the rules were suspended and H. J. R. 70 was adopted.

Also:

By Rules Committee:

H. R. 71. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Eighteenth Legislative Day, taking precedence over any other business in the House on this day:

H. B. 276, Page 61

H. B. 385, Page 48

H. B. 510, Page 36

H. B. 511, Page 36

H. B. 824, Page 84

On motion of Mr. Merrill, the rules were suspended and H. R. 71 was adopted.

Also:

By Messrs. Merrill, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gaf-

ford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Money, Nettles, Neville, Owen (Baldwin), Owens, (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding, Young:

H. J. R. 72. WHEREAS we are shocked and grieved by the sudden death of our beloved and highly esteemed colleague, Representative R. R. Berryman, who passed away yesterday as a result of a heart attack; and

WHEREAS Mr. Berryman rendered long and valuable service to the State of Alabama and particularly to his local constituents whom he represented ably and forcefully first in the Senate during the years 1959-1963 and since that time in this House. Mr. Berryman was a sound thinker, a man with the courage of his convictions and one who could be depended upon to battle for the best interests of all; and

WHEREAS Mr. Berryman who resided in Lawrence County near Moulton was a retired mail carrier and insurance man. He had a wealth of personal friends who confidently relied on his judgment and who shall long remember his many and varied acts of kindness. He was a past grand master of the Alabama Masonic Grand Lodge in which organization he labored diligently. He was an outstanding legislator and his wise counsel will be sorely missed by all of us who knew him well; and

WHEREAS Mr. Berryman is survived by his wife, Mrs. Kylie Berryman and one son, Mr. William C. Berryman; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the State of Alabama has suffered a grievous loss in the death of Representative Berryman. We extend our heartfelt sympathy to Mrs. Berryman and to his son, to whom copies of this resolution shall be sent.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 72 was adopted.

OFFICIAL REPRESENTATIVES APPOINTED

The Speaker appointed as official representatives of the House, to attend the funeral of Mr. Robert Berryman, Messrs. Burgreen, Slate, Doss, Hill, Haygood, Grainger and Dobbs.

BILLS ON THIRD READING

And the bill:

H. 276. To provide further for the collection of unpaid wages; authorizing the director of labor to take assignments in trust of certain wage claims and thereafter to settle, adjust and collect such claims, through suits at law, if necessary; to provide for and regulate such suits; to forbid an employer's exempting himself, by contract, from this Act.

Was read a third time a length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Robertson
Adwell	Edington	Lybrand	Sessions
Agee	Ellis	Malone	Shumate
Bassett	Fine	Marr	Slate
Berryman (W)	Foshee	Mathews	Smith
Blanton	Gafford	Mays	Springer
Brannan	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Cameron	Hain	McElhaney	Stembridge
Cherner	Harper	McLain	Stubbs
Collier	Harris	Meade	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Watkins
Cook (Coffee)	Hobbie	Money	Weeks
Cook (Jefferson)	Holladay	Neville	Williams
Crawford	House	Owen (Baldwin)	Wood
Culver	Jackson (F)	Owens (W)	Wright
Dill	Jackson (T)	Paulk	Yeilding
Dobbs	Jones	Perloff	Young
Doss	Kilgore	Pruitt	

—79

And the bill:

H. 385. To exempt plants and herbicides from local sales and use taxes in all counties having populations of not less than 22,500 nor more than 24,550, according to the most recent federal decennial census, in which such local taxes are levied.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pruitt
Adwell	Edington	Lybrand	Robertson
Agee	Ellis	Lyons	Sessions
Bassett	Foshee	Malone	Shumate
Berryman (W)	Gafford	Marr	Slate
Blanton	Garrett	Mathews	Smith
Bowers	Grainger	Mays	Snell
Brannan	Grayson	McCorquodale	Springer
Brown	Hain	McDonald	Starnes
Burgess	Hardin	McElhaney	Steagall
Cameron	Harper	McLain	Stembridge
Cherner	Harris	Meade	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hobbie	Money	Watkins
Cook (Coffee)	Holladay	Nettles	Weeks
Cook (Jefferson)	Holman	Neville	Williams
Crawford	House	Owen (Baldwin)	Wood
Culver	Jackson (F)	Owens (W)	Wright
Dill	Jackson (T)	Paulk	Yeilding
Dobbs	Jones	Perloff	Young
Doss	Kilgore		

—86

And the bill:

H. 510. Relating to eminent domain proceedings; amending Code of Alabama 1940, Title 19, Section 14 in relation to proceedings instituted by watershed conservancy distircts and water management districts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Perloff
Adwell	Ellis	Lybrand	Pruitt
Agee	Fine	Lyons	Robertson
Bassett	Foshee	Malone	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Grainger	McCorquodale	Snell
Brown	Grayson	McDonald	Starnes
Cameron	Hain	McElhaney	Steagall
Cherner	Harper	McLain	Stembridge
Collier	Harris	Meade	Stubbs
Collins (C)	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Turnham
Cook (Coffee)	Hobbie	Money	Watkins
Cook (Jefferson)	Holladay	Nettles	Weeks
Crawford	Holman	Neville	Williams
Culver	House	Owen (Baldwin)	Wood
Dill	Jackson (F)	Owens (W)	Wright
Dobbs	Jackson (T)	Paulk	Yeilding
Doss	Jones	Pennington	Young
Downing	Kilgore		—86

And the bill:

H. 511. To amend Act No. 517, S. 96, Legislature of 1957, approved September 13, 1957 (Acts of Alabama 1957, Vol. II, p. 705), an Act providing for the creation of watershed conservancy districts for developing and executing plans and programs for the conservation of water, water uses, flood prevention and control, prevention and control of erosion, flood water and sediment damages by amending Sections 1 and 9 of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Crawford	Harris	Mays
Adwell	Culver	Headley	McCorquodale
Agee	Dill	Higginbotham	McDonald
Bassett	Dobbs	Hobbie	McElhaney
Beck	Doss	Holladay	McLain
Berryman (W)	Downing	Holman	Meade
Blanton	Edington	House	Melton
Bowers	Ellis	Jackson (F)	Merrill
Brannan	Fine	Jackson (T)	Money
Brown	Foshee	Jones	Nettles
Cameron	Gafford	Kilgore	Neville
Cherner	Garrett	Lemley	Owens (W)
Collier	Gloor	Lybrand	Paulk
Collins (C)	Grainger	Lyons	Pennington
Collins (W)	Grayson	Malone	Perloff
Cook (Coffee)	Hain	Marr	Pruitt
Cook (Jefferson)	Harper	Mathews	Robertson

Sessions	Springer	Tuck	Wood	
Shumate	Starnes	Turnham	Wright	
Slate	Steagall	Watkins	Yeilding	
Smith	Stembridge	Weeks	Young	
Snell	Stubbs	Williams		—87

And the bill:

H. 824. To amend the "Alabama Water Management Act", Act No. 685, S. 364, of the Regular Session of 1965, (Acts of Alabama of 1965, Regular Sess., Vol. II, p. 1246), "An Act to provide for the establishment of works of improvement for the drainage of wet, swamp, and overflowed lands of the State, and for flood prevention or the conservation, development, utilization and disposal of water within the State"; etc., by amending Sections 5, 9 and 10 of said Act which relate to the organization of water management districts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Pruitt	
Adwell	Ellis	Lybrand	Robertson	
Agee	Fine	Lyons	Sessions	
Bassett	Foshee	Malone	Shumate	
Beck	Gafford	Marr	Slate	
Berryman (W)	Garrett	Mathews	Smith	
Blanton	Gloor	Mays	Snell	
Bowers	Grainger	McCorquodale	Springer	
Brannan	Grayson	McDonald	Starnes	
Brown	Hain	McElhaney	Steagall	
Cameron	Harper	McLain	Stembridge	
Cherner	Harris	Meade	Stubbs	
Collier	Headley	Melton	Tuck	
Collins (C)	Higginbotham	Merrill	Turnham	
Collins (W)	Hobbie	Money	Watkins	
Cook (Jefferson)	Holladay	Nettles	Weeks	
Crawford	Holman	Neville	Williams	
Culver	House	Owen (Baldwin)	Wood	
Dill	Jackson (F)	Owens (W)	Wright	
Dobbs	Jackson (T)	Paulk	Yeilding	
Doss	Jones	Pennington	Young	
Downing	Kilgore	Perloff		—87

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Cooper, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca:

S. J. R. 37. WHEREAS, The Legislature has learned with profound shock and sorrow of the sudden death of Honorable Robert R. Berryman, Representative from the 2nd District; and

WHEREAS, Former Senator Berryman was active in civic, religious and educational affairs in his community and state, and was Past Grand Master of the MW Grand Lodge, F&AM of Alabama; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we mourn the untimely death of our friend and colleague, Robert R. Berryman, and extend our deepest sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED That copies of this Resolution be sent to his wife, Mrs. Kylie Berryman, and to his son, Clinton Berryman, U. S. Army.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 37 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 780 (with amendment). To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

H. 857. To amend Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions for the distribution of the net proceeds from the license taxes and registration fees therein referred to.

H. 858. To make further provision for the financing and construction of public bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding $25,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be

used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of fiduciary funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

H. 369. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

H. 870. To provide for a refund of a portion of the state tax paid on gasoline which is used solely for the fixed and static testing of engines manufactured or remanufactured in the State of Alabama; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the Commissioner of Revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor.

H. 203. To amend further Code of Alabama 1940, Title 51, Section 2, which relates to exemptions from ad valorem taxation.

H. 586. To authorize the exchange of information secured by department of revenue officials or employees for the purpose of arriving at the amount of any tax due the State of Alabama with officials or duly authorized agents of the United States Internal Revenue Service, United States Department of the Treasury, for the purpose of administering federal tax laws where a like privilege is granted by the United States Internal Revenue Service to officials or duly authorized agents of the department of revenue, State of Alabama.

H. 716. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

H. 709. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 513 (with amendments). Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 376. To make appropriations from the general fund in the state treasury to the National Veterans Day Committee for the purpose of assisting in financing the National Veterans Day Programs in Birmingham.

H. 439. To transfer and reappropriate certain monies heretofore appropriated to the Farmers Market Authority for other expenses to such Authority's account for equipment purchases; and to authorize and regulate the use of funds hereby transferred and reappropriated.

H. 832. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

H. 833. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

H. 834. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

H. 835. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 836 (with substitute). To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities

for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 837. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

H. 838. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

H. 803. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making an appropriation therefore.

H. 733. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

H. 826. To make an appropriation to the Alabama Institute for Deaf and Blind for Capital Outlay purposes.

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

H. 529. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

H. 530. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of

Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

H. 775. To provide for installation of certain distinctive plaques in public school buildings, and making an appropriation to pay therefor.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 517 (with substitute). To amend Code of Alabama 1940, Title 22, Section 42, further regulating the Bureau of Vital Statistics in the State Health Department; increasing the fees for record and statistical services and appropriating fee receipts for operation of the Vital Statistics System.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 357. To make a supplemental appropriation to the Commission on Physical Fitness.

H. 215. To amend further Act No. 533, S. 166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 451 (with substitute). To amend the revenue law so as to provide for exemption of commercial fish feed from sales and use taxes.

H. 205 (with substitute). To make an appropriation to the Alabama State Fire College created and established by an Act of the Legislature No. 373. of Acts of the Legislature of 1955, Volume II, page 898, approved September 8, 1955, and to provide for the expenditure thereof and the payment of the appropriation.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable

report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 543. To amend Section 413, Title 51, Code of Alabama 1940, which relates to exceptions to the general rule concerning period of limitation upon assessment and collection.

H. 544. To provide for the disposition of penalties collected on delinquent licenses and improperly licensed motor vehicles by amending Section 835, Title 51, Code of Alabama 1940, as amended by Act No. 610, Regular Session 1951, approved September 4, 1951.

H. 545. To change the effective date of Act No. 392, General Acts 1967, page 979, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

H. 546. To change the effective date of the Multi-state Tax Compact Act, Act No. 395, General Acts 1967, page 982, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

H. 547. To amend Section 380, Title 51, Code of Alabama 1940, as amended by Act No. 191, General Acts 1959, page 726, in relation to the recognition of gain or loss for state income tax purposes on property involuntarily converted as a result of condemnation.

H. 548. To change the effective date of Act No. 396, General Acts 1967, page 999, so as to make said Act effective upon the passage and approval of this Act by the Governor or its otherwise becoming a law.

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision thereof which provides for the expiration of the Act.

H. 318. To raise revenue: Designating certain leasehold interests in lands, buildings and other improvements thereon as separate and special interests in land and subject to ad valorem taxation when the leased premises are owned by the State, a county, a city or a public corporation; providing for the valuation of such leasehold interests, and for the assessment and collection of ad valorem taxes levied thereon, and prescribing exemptions.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 82. To name and designate the Alabama River bridge on Interstate Highway 65 at Montgomery the "American Legion Memorial Bridge."

H. 32. To amend Sections 5 and 6 of Title 7, Code of Alabama, 1940, in relation to papers to be recorded on filing and when record used on trial of cause.

H. 888. To amend Sections 6 and 11 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to change the duration for which the corporation organized thereunder (known as Alabama Highway Authority) shall continue to exist.

H. 886. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment at their respective maturities of the principal of and interest

on bonds of Alabama Highway Authority issued under an act adopted at the 1969 Regular Session of the Legislature of Alabama, and to clarify the provisions of the said Act insofar as they relate to refunding bonds that may hereafter be issued.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 818 (with amendment). To prohibit the use of thermoplastic material in drain, waste and vent systems; to provide penalty for its use.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 798 (with substitute). To amend Act No. 2, H. 47 of the Regular Session of 1945 (Gen. Acts 1945, p. 20), which levies and provides for the collection and distribution of a severance tax on oil, gas and other hydrocarbons, so as to preclude municipalities in the State from levying any tax, license or other charge or fee on the production, ownership, selling, buying, storing or marketing of crude oil or natural gas or on the operation or maintenance of any plant, facility or any equipment necessary or convenient to the production, ownership, storage, sale, purchase, marketing or transportation of crude oil or natural gas; and to authorize and provide for the payment, in the discretion of the Governor, to municipalities in which oil or gas wells are located or a portion of the severance tax levied by said Act No. 2.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 587. To provide distinctive license plates free of charge for Alabama members of the United States Senate and House of Representatives; authorizing the commissioner of revenue to provide rules and regulations for the making, issuance and design of such plates.

H. 571. To amend Code of Alabama 1940, Title 17, Section 26, as amended, and Section 28, which relate to meetings of county boards of registrars and places thereof, in order to eliminate the requirement that such boards visit the precincts and that persons may be registered only at the courthouse or in the precinct of their residence.

H. 585. To amend Title 51, Section 701 (1), Code of Alabama 1940, as amended, which provides for tags for motor vehicles owned and used by state, county or municipality to provide distinctive tags for vehicles of municipal gas districts.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 568 (with substitute). To amend Section 91 of Title 36 of the Code of Alabama of 1940, as amended, which authorizes the director of the highway department to issue special permits for movement of

certain oversize vehicles; so as to further provide for fees for issuance of said permits; and to repeal Section 91(1) of Title 36 of the Code of Alabama of 1940, as amended.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 792. To amend Act No. 128, H. 129, Regular Session 1945 (General Acts 1945, p. 116), the act creating the Building Commission, so as to authorize the commission to utilize the services, facilities, and employees of any state department, bureau, or agency engaged in planning, constructing, enlarging, or improving public buildings for the State or any of its agencies or institutions.

H. 400. To amend Act No. 497, H. 616, Regular Session 1959 (Acts of 1959, Page 1231) which creates the position of Chief Engineer in the State Highway Department and provides for his appointment, qualifications, duties, responsibilities and salary; so as to provide further for his appointment, compensation, qualifications and duties.

S. 267. To amend section 402(65) of Title 37 of the Code of Alabama of 1940 to provide for the use of the public roads by gas districts in this state.

H. 33. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

H. 891. To amend Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama (relating to the excise tax on motor fuel as defined in the said act), as amended, so as to make further provision for the disposition of the proceeds of the tax levied thereby.

H. 892. To authorize Alabama Public School and College Authority, a public corporation, to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions where the board of directors of the Authority, with the approval of the Governor, shall determine that such capital improvements can be most advantageously located; to provide for the details of the said bonds and for the sale thereof; to make appropriation and pledge of funds for payment of the principal of and interest on the said bonds and authorize the Authority to pledge for payment of the said principal and interest the funds so appropriated and pledged herein; to provide that the said bonds shall be limited obligations of the Authority payable solely from the funds so appropriated and pledged and shall not create an obligation or debt of the state; to provide that the said bonds and the income therefrom shall be exempt from taxation and the said bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the refunding of such bonds by the issuance of refunding bonds; to adopt with respect to the said bonds certain provisions of Act No. 243 adopted at the 1965 Special Session of the Legislature of Alabama; and to specify certain other provisions respecting the said bonds.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

H. 45. To amend and re-enact Section 619 (10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instruments of like character.

H. 116. To prohibit the enrollment or continued enrollment of communist students or members of communist organizations in institutions of learning supported in whole or in part by public moneys or funds of the State of Alabama or of any political subdivision thereof.

H. 800. To amend Section 4 of Act No. 652, S. 129, p. 1006, Regular Session, 1949, prescribing the method of riding on motor driven cycles, or other motor driven two-wheeled or three-wheeled vehicles and to require seats and foot rests for passengers.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 816 (with amendment). To provide further for the admission of the mentally retarded to certain state hospitals and facilities.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 840. To amend Title 61, Section 211, Code of Alabama 1940, to allow the Chief Examiner of Public Accounts of the State of Alabama to file notice with the Judge of Probate of an impending examination affecting the estate of a decedent and hold the estate open for an additional period of six months.

H. 841. To fix the salary of the Chief Examiner and the Assistant Chief Examiner.

H. 842. To provide for assistant legal counsels for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this act.

H. 874. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

H. 901. To validate public hospital associations for public hospital purposes attempted to be organized under Act No. 211 adopted at the 1945 Regular Session of the Legislation of Alabama, as originally adopted or amended, where the governing body of a county, a city, or both, has or have authorized the incorporation of such association but where the attempted incorporation is invalid or irregular because of some irregularity in the procedure for incorporation.

H. 902. Relating to financial statements required by the Uniform Commercial Code to be filed in the office of the Secretary of State; requiring a mortgage tax to be paid on certain instruments and providing for the return of the tax to the county from which the instrument came.

S. 108. To amend Code of Alabama 1940, Title 35, Section 101, which provides exemptions from state toll bridge and tunnel fees, and

automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in ..... adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $10,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $10,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

The above bill was read a second time at length as required by the Constitution.

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

The above bill was read a second time at length as required by the Constitution.

S. 218. To provide for an expense allowance for each County Inferior Court Judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destory certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for

the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204), Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 649 (with amendment). To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in order to provide further for registration of

physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 690 (with substitute). To change the membership of the Alabama Water Improvement Commission by amending Section 3 of Act No. 574, page 1058, Acts of Alabama 1965 Regular Session, approved August 26, 1965, which created the present Alabama Water Improvement Commission.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 2. To amend Sections 1, 2, 9, and 13 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama, 1945, page 1; to further amend Section 4 of Act No. 1, H. 46, approved May 22, 1945, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama, 1949, page 1033; and to further amend Section 12 of Act No. 1, H. 46, approved May 22, 1945 as amended by Act No. 83, H. 6, approved April 12, 1956, General Acts of Alabama, Second Special Session, 1956, page 374, which Act provided for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama. The amendments will update the terminology of the basic conservation statute necessitated by technological advances, remove the 40-acre limitation on spacing, authorize the Board to integrate undivided interests and authorize downhole commingling of production from thin sands.

H. 3. To amend Section 5 of Act No. 352, H. 44, approved August 23, 1957, General Acts of Alabama of 1957, page 464, as amended by Act No. 80, H. 118, approved September 30, 1965, page 110, so as to remove the requirement that an allocation be made as to each pool where there is an addition to an existing fieldwide unit.

Mr. Snell, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 217 (with substitute). Relating to the state military department and the head thereof; creating the office of commanding general of the state military forces in lieu of the office of adjutant general, which office is hereby abolished; prescribing the meaning to be accorded hereafter to the term adjutant general, when used in other laws; and amending Code of Alabama 1940, Title 35, Section 67, in order to reflect such change and to define such department's composition.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

H. 860. Relating to all counties having populations of not less than 16,150 nor more than 17,250 according to the most recent federal decennial census; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

H. 903. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the county engineer payable from the general funds of the county.

H. 904. Relating to counties having a population of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

H. 905. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

H. 906. To amend the title and Section 2 of Act No. 65, H. 738, Regular Session 1969, approved June 27, 1969, an Act providing for a travel allowance for the chairman and members of the board of revenue in counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census, so as to increase the travel allowance of the chairman.

H. 918. To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 931 (with amendment). To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

H. 935. To provide for the compensation of jurors in Jackson County.

H. 936. To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

H. 937. To apply to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Deputy District Attorney or County Solicitor for said counties a full time secretary and to fix the salary therefor.

H. 938. To provide an additional expense allowance for the members of the county board of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

H. 940. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blount County.

The above bill was read a second time at length as required by the Constitution.

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 946 (with amendment). To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

S. 1 (with amendment). To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known

as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and

tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 900 (with amendment). To amend Act No. 252, S. 198, Special Session 1961, an Act creating the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000, in order to furnish the license commissioner an automobile and gasoline to be used only as necessary in the performance of the official duties of his office.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and place on the Calendar, to-wit:

H. 657. Relating to cities having populations of not less than 35,000 nor more than 55,000, according to the most recent federal decennial census; authorizing and providing for an increase in the board of directors of certain public utility systems in such cities.

MOTION TO ADJOURN LOST

The motion of Mr. Dill that the House adjourn until Tuesday, July 15, 1969, at 2 o'clock P. M. was lost.

Yeas 22; Nays 64.

Yeas:

Messrs.:	Collier	Gloor	Money	
Adwell	Collins (C)	Harper	Sessions	
Blanton	Dill	Holladay	Tuck	
Brannan	Downing	Holman	Weeks	
Burgess	Edington	Jackson (T)	Yeilding	
Cherner	Gafford	Kilgore		—22

Nays:

Mr. Speaker	Foshee	Mays	Robertson	
Agee	Garrett	McCorquodale	Shumate	
Bassett	Grainger	McDonald	Slate	
Beck	Grayson	McElhaney	Smith	
Berryman (W)	Hain	McLain	Snell	
Brown	Harris	Meade	Springer	
Cameron	Headley	Melton	Starnes	
Collins (W)	Higginbotham	Merrill	Steagall	
Cook (Coffee)	Hobbie	Nettles	Stembridge	
Cook (Jefferson)	Jackson (F)	Neville	Stubbs	
Crawford	Jones	Owen (Baldwin)	Turnham	
Culver	Lemley	Owens (W)	Watkins	
Dobbs	Lyons	Paulk	Williams	
Doss	Malone	Pennington	Wood	
Ellis	Marr	Perloff	Wright	
Fine	Mathews	Pruitt	Young	
				—64

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDermott:

S. J. R. 38. WHEREAS, Mr. Ralph Parker, Project Engineer in the construction of the Mobile Industrial Park Road lost his life on September 23, 1968 while engaged on that project; and

WHEREAS, Mr. Parker was a fine gentleman, faithful and competent Highway Department Employee, and died while engaged in the prosecution of work which will greatly benefit both the Mobile area and the entire State of Alabama;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we deeply regret the passing of Mr. Parker and extend our heartfelt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Marr, the rules were suspended and the House concurred in and adopted the S. J. R. 38 set out in the above and foregoing Message from the Senate.

UNANIMOUS CONSENT GRANTED

Unanimous consent was granted to Mr. Hill for the Journal to show had he been in the House chamber he would have voted Yea on H. 276, H. 385, H. 510, H. 511 and H. 824, and to Mr. Pennington for the Journal to show had he been in the House chamber he would have voted Yea on H. 276 and H. 385.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows.

By Mr. Springer:

H. 947. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Judiciary.

By Messrs. Shumate, Fine, Lemley, Brannan and Dobbs:

H. 948. Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Transportation.

By Messrs. Starnes and McDonald:

H. 949. Relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

Local Legislation No. 1.

By Messrs. Starnes and McDonald:

H. 950. To provide for the appointment of a deputy district attorney for the Twenty-seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Judiciary.

By Messrs. Ellis, Cook (Jefferson), Watkins, Owens (W), Stembridge, Paulk, Harper, Downing, Burgess, Adwell, Pennington, Lybrand, Brown, Young, Stubbs and Wright:

H. 951. To exempt members of state and local auxiliary law enforcement units from the purchase of pistol permits.

Judiciary.

By Messrs. Pennington, Snell and Turnham:

H. 952. To make subject to the state sales and use taxes the sale or use of property purchased under certain conditions by any public or semi-public corporation, board, authority, any county or municipality, or any agency of instrumentality thereof and to prohibit the appointment of any contractor or agent of any contractor as purchasing agent for the state or any county, municipality, public or semi-public corporation or any board, authority, agency or instrumentality thereof in connection with any public works construction in this state and to repeal laws in conflict herewith.

Judiciary.

By Mr. Watkins:

H. 953. To provide for the appointment of one additional board member to the Alabama board of cosmetology; to provide for the qualifications, term, authority, duties, responsibilities and compensation of such member; and to provide that this act shall be supplementary to the state cosmetology law as provided by Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), as amended.

Agriculture.

By Mr. Cameron:

H. 954. Providing that property depreciated on income tax return cannot be greater than the assessed value of the property in the County in which it is located.

Ways and Means.

By Mr. Cameron:

H. 955. Requiring the Bureau of Child Welfare of the Department of Pensions & Security to file quarterly reports with the Judge of Probate of the County in which any child is located in which the Department is acting as legal custodian. If the child is being held for adoption, the report must show the length of time each child has been in the custody of the Department and the reasons, if any, why the child has not been placed for adoption.

State Administration.

By Mr. Cameron:

H. 956. To amend further Section 334, Title 55, Code of Alabama 1940, as amended, relating to the powers and jurisdiction of the board of adjustment; so as to increase the power, jurisdiction and duties of said board with respect to claims for injury or death of students enrolled in certain classes.

State Administration.

By Messrs. Culver, Smith, Pennington, Laxson, Brown, Paulk and Turnham:

H. 957. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

Agriculture.

By Messrs. Culver, Brannan, Smith, Pennington, Laxson, Brown, Paulk and Turnham:

H. 958. To further amend Chapter 7 of Title 2 of the Code of Alabama of 1940 by amending Sections 672, 674, 675, 676 and 677 relating to requirements for persons performing professional work or services pertaining to entomological, pathological, horticultural, floricultural, and tree surgery work; to define such work; to prescribe special requirements for structural pest control work including the annual permit, bond, insurance, training, experience and other requirements; prescribing the powers and duties of the Commissioner of Agriculture and Industries for administration and enforcement of said Chapter 7; and prescribing penalties for violations.

Agriculture.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 959. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Local Legislation No. 1.

Notice and Proof H. 959:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Be It Enacted by the Legislature of Alabama:

Section 1. The Geneva County Inferior Court established pursuant to Act No. 538, H. 1009, Regular Session 1939 (Local Acts 1939, p. 329) shall have, in addition to the jurisdiction now authorized by law, jurisdiction concurrently with the circuit court of matters, suits and actions of law in amounts of not more than $1,500.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me 8th July, 1969.

ELLEN H. LAYE,
Notary Public.

My Commission Expires 8-10-70.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 960. To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

Local Legislation No. 1.

Notice and Proof H. 960:

STATE OF ALABAMA
COUNTY OF GENEVA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) is hereby amended to read as follows:

"Section 1. The judge of the Inferior Court of Geneva County shall receive a salary of $10,000 per annum payable in equal monthly installments out of the general fund of the county upon the warrant of the probate judge. Such warrant shall be a preferred claim against the general fund."

Section 2. This Act shall become effective upon the expiration of the term of the incumbent judge of the Geneva County Inferior Court.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GENEVA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Orsen B. Spivey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Geneva County Reaper, a newspaper of general circulation published in Geneva County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

ORSEN B. SPIVEY.

Sworn to and subscribed before me this 8th July, 1969.

ELLEN H. LAYE,
Notary Public.

My Commission Expires 8-10-72.

By Messrs. Grayson, Collins (W), Hobbie, Robertson and Brown:

H. 961. To prohibit the use of public state funds for the purposes of conducting courses of study in sex education in the public schools of the State of Alabama, to otherwise provide with reference to courses of study in sex education in the public schools of the State of Alabama, and to provide with respect thereto.

Education.

By Mr. Culver:

H. 962. To make an appropriation from the state treasury payable to the Glenn Falls Insurance Company for the relief of Sergeant E. W. Pierce of the highway patrol.

Ways and Means.

By Mr. Culver:

H. 963. To amend Act No. 177, H. 315, of the Regular Session of 1947 (Gen. Acts, 1947, p. 62), which provides for the taxing as a part of the cost in certain cases of a mileage charge for the sheriff for executing the writ of arrest or other process and excepts certain counties, classified by population, from the operation of such Act; amending the title and Section 4 of such Act in relation to the classification of the counties excepted.

Ways and Means.

By Mr. Culver:

H. 964. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex-officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

Judiciary.

By Messrs. Pennington, Grainger, Jones and McLain:

H. 965. To amend Section 13 of Act No. 860, S. 408, Regular Session 1953 (Acts, 1953, p. 1152), which authorizes municipalities to create and establish municipal waterworks utility boards, so as to empower the municipality, by ordinance, to authorize any board created pursuant to said Act to make expenditures for new construction, additions, or replacements to the municipal waterworks utility system of no more than $25,000.00 without the consent and approval of the governing body of the municipality.

State Administration.

By Messrs. Pennington, Grainger, Jones and McLain:

H. 966. To amend Section 13 of Act No. 861, S. 409, Regular Session 1953 (Acts 1953, p. 1157), which authorizes municipalities to establish Municipal Gas Utility Boards, so as to empower the municipality, by ordinance, to authorize any board created pursuant to said Act to make expenditures for new construction, additions, or replacements to the municipal gas distribution system of no more than $25,000.00 without the consent and approval of the governing body of the municipality.

State Administration.

By Messrs. Pennington, Grainger, Jones and McLain:

H. 967. To amend Code of Alabama 1940, Title 18, Section 72, which relates to certain expenditures by municipal electric distribution systems, so as to authorize the council or other governing body of any municipality having created a municipal electrical utility board by ordinance pursuant to Chapter 4 of Title 18, Code of Alabama 1940, to authorize by ordinance expenditures by the board of up to $25,000 for new construction, additions, or replacement to the distribution system without the consent and approval of the governing body of the municipality.

State Administration.

By Mr. Cherner:

H. 968. To further amend Section 1 of Act No. 534, General Acts 1943, page 508, entitled "An Act to provide for deductions from penitentiary and hard labor sentences for good conduct;" to repeal Act No. 481, Acts of Alabama 1953, page 600, entitled "To provide for additional deductions from penitentiary and hard labor sentences as incentive to extra production" and to repeal all laws in conflict.

Judiciary.

By Messrs. Agee and McCorquodale:

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Local Legislation No. 1.

By Mr. Blanton:

H. 970. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle under the influence of intoxicating liquor; providing for the revocation of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Mr. Blanton:

H. 971. To amend Sections 1 and 2 of Act No. 486, H. 765, approved July 9, 1943, an act creating the Cahaba Historical Commission, so as to increase the membership of the board of trustees; to provide for the manner of their appointment, and to grant additional authority to the board.

Judiciary.

By Messrs. McDonald and Starnes:

H. 972. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties.

Local Legislation No. 1.

By Messrs. Starnes and McDonald:

H. 973. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties.

Local Legislation No. 1.

By Messrs. Wright and Malone:

H. 974. To authorize and provide for Minute Entries in cases appealed from a City Recorder's Court, Mayor's Court, Police Court, or any Municipal Court, to the Circuit Courts, or to any other Courts of Record in Alabama.

Judiciary.

By Messrs. Hobbie, Cameron, Harris, Foshee, Springer, Melton, Headley, McElhaney, McCorquodale, Jackson (F), Harper, Lemley, Owen (Baldwin), Williams, Slate, Owens (W), Turnham, Paulk, Ellis, Kilgore, Culver, Money, Burgess, Brown and Grayson.

H. 975. Providing further for payment of the salaries of state officers and employees; amending Section 148, Title 41, Code 1940.

Agriculture.

By Mr. Fite:

H. 976. Relating to all counties having populations of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of the jury commission in such counties.

Local Legislation No. 1.

By Mr. Fite:

H. 977. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; authorizing the county board of education to provide the superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer by the county governing body.

Local Legislation No. 1.

By Mr. Fite:

H. 978. Relating to all counties having populations of not less than 14,500 nor more than 14,900 according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Local Legislation No. 1.

By Mr. Turnham:

H. 979. To authorize the governing bodies of the several counties to levy a two-dollar fee for the application or issuance of all motor vehicle licenses, such fees to be used for mental health purposes and to be charged and collected by all Judges of Probate, License Commissioners, Directors of County Departments of Revenue, or other public officers performing like duties in said counties.

Judiciary.

By Messrs. Beck and Meade (with notice and proof):

H. 980. Relating to Dekalb County; providing for nomination and election at large of members of the county commission, repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 980:

A BILL
TO BE ENTITLED
AN ACT

Relating to DeKalb County; providing for nomination and election at large of members of the county commission, repealing conflicting Laws.

Be It Enacted by the Legislature of Alabama:

Section 1. Hereafter the members of the county commission of DeKalb County shall be nominated by the voters of the county who are authorized by law to participate in any primary election, caucus or convention held or called by any political party for nomination of such officers, and the members of the county commission from the several districts shall be nominated and elected by the qualified electors of the entire county. The said members so elected shall each qualify as to the specific district he shall represent and shall be a qualified elector and resident thereof.

Section 2. The provisions of Act No. 368, H. 394, approved September 7, 1955 (Acts 1953, V. L. P. 889) and Act No. 444, H. 986, approved August 7, 1961 (Acts 1961 Regular Session V. L. P. 482) in conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Notice to publish "A Bill" relating to DeKalb County; providing for nomination and election at large of members of the County Commission repealing conflicting laws.

PUBLISHER'S CERTIFICATE

STATE OF ALABAMA
COUNTY OF DeKALB

Personally appeared before the undersigned, a Notary Public, within and for said County and State, Ben M. Smith publisher of The Times-Journal, a newspaper published at Fort Payne, County of DeKalb, State of Alabama, who being duly sworn, states on oath that the notice, a true copy of which is hereto annexed, was published in said newspaper in its issues of June 3, 10, 17, 24, 1969.

BEN M. SMITH,
Publisher.

Sworn to and subscribed before me this 7th day of July, 1969.

NORMAN BLAYLOCK,
Notary Public.

My commission expires January 29, 1973.

By Messrs. Merrill, Lybrand and Burgess:

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

Local Legislation No. 1.

By Mr. Downing:

H. 982. To amend Title 37, Section 376, Code of Alabama, 1940, so as to define "electric light plant", "gas plant", and "waterworks plant".

Judiciary.

By Mr. Downing:

H. 983. To amend Section 4 of Act No. 175, S. B. 280, Regular Session, 1951 (Acts of Alabama, 1951, Volume I, p. 416, et seq), an act providing for the incorporation of municipal water, sewer, gas and electric boards and systems.

State Administration.

By Mr. Downing:

H. 984. To amend Sections 4 and 11 of Act No. 762, S. B. 515, Regular Session, 1951 (Acts of Alabama, 1951, Volume II, p. 1319 et seq), an act providing for and authorizing the incorporation of gas districts in the State of Alabama, so as to provide that a gas district may sell and convey a gas system or systems to utility companies or corporations regulated by the Alabama Public Service Commission, and likewise at foreclosure proceedings.

State Administration.

By Mr. Downing:

H. 985. To amend Section 6 of Act No. 154, H. B. 308, Regular Session, 1947 (General Acts of Alabama, 1947, p. 52), an act authorizing water works boards to acquire, maintain and operate gas plants and systems, so as to authorize the sale of a municipal gas plant or system to utility companies or corporations regulated by the Alabama Public Service Commission.

State Administration.

By Messrs. Stubbs and Robertson:

H. 986. To provide that no member of a train crew, yard crew or engine crew of a railroad, which is a common carrier, shall be held personally responsible or found guilty of violating any law of this state or any municipal ordinance regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon proof of certain facts; to provide that the provisions of this Act shall not relieve the employer or railroad from certain responsibility; and to repeal certain laws and ordinances.

Transportation.

By Messrs. Crawford and Stembridge:

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

Local Legislation No. 1.

By Messrs. Crawford and Stembridge:

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

Local Legislation No. 1.

By Mr. Tuck:

H. 989. To require escorts for certain vehicles across two-lane highway bridges where visibility is difficult.

Rules.

By Mr. McDonald:

H. 990. To amend Section 6 of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to provide that if at any time any corporation organized thereunder or whose certificate of incorporation has been amended thereunder (regardless of whether it has ever issued any bonds) does not have any bonds outstanding, its Board of Directors may adopt a resolution declaring that such corporation shall be dissolved and that upon the filing for record of a certified copy of such resolution in the office of the Judge of Probate of the county wherein the certificate of incorporation of such corporation was filed, such corporation shall stand dissolved and title to any property and assets then owned by it shall (except as otherwise provided in Section 7 of said Act No. 175) vest in the municipality which authorized its incorporation.

State Administration.

By Messrs. McDonald and Starnes:

H. 991. To provide further for determining the minimum of local participation in the cost of operating the schools in the area required for a county or an independent city to share in the minimum program fund.

Ways and Means.

By Messrs. McDonald and Starnes:

H. 992. To require state, county and municipal law enforcement officers to be identified as such when they stop a motor vehicle for a traffic violation.

Transportation.

By Messrs. Owen (Baldwin) and Brannan:

H. 993. To amend the title and Section 1 of Act No. 4 adopted at the 1956 Second Special Session of the Legislature, as heretofore amended, the said Act, as last amended, being entitled "An Act relative to municipalities in this state having a population of not less than 3,500 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such

municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof", so as to make the said act applicable to all municipalities having a population of not exceeding 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Ways and Means.

By Messrs. Melton, Fite, Wood, Lemley, Garrett, Harris, McCorquodale, Owens (W), Foshee, Headley and Springer:

H. 994. To authorize county governing bodies of the several counties to appoint a county engineer; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation in the salary of the county engineer.

Judiciary.

By Messrs. Melton, Neville and Cameron:

H. 995. To amend Act No. 375, H. 1006 of the Regular Session of 1955 (Acts 1955, p. 901), which provides for and regulates the taking of depositions of witnesses or parties upon oral examination for discovery or for use as evidence, so as to authorize the subpoena to command the person sought to be examined not only to appear in person but to produce books, papers, documents and other tangible things designated in the subpoena; to prescribe certain limitations on such subpoenas; and to grant certain discretion relative to their issuance to the judge.

Judiciary.

By Messrs. Edington and Smith:

H. 996. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

State Administration.

By Messrs. Collins (W), Ellis, Owens (W), Pennington and Cook (Jefferson):

H. 997. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barricade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 72. Mourning the death of our beloved and highly esteemed colleague, Representative R. R. Berryman.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Owen (Baldwin) and Brannan:

H. J. R. 73. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the classroom building at Yancey State Junior College in Bay Minette be named, known and designated as Ernest Stone Hall in recognition of the great contributions to the field of education of State Superintendent of Education, Dr. Ernest Stone.

And the resolution, H. J. R. 73, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Jackson (F) and Foshee:

H. J. R. 74. WHEREAS the Geneva County High School Band under the able leadership of band director, Norman R. Dasinger, was selected as one of the bands to participate in the New Orleans Mardi Gras parade in February 1968; and

WHEREAS this band was the only band chosen from the State of Alabama to participate in the night parade highlighting the Mardi Gras festivities, which was indeed a signal honor; and

WHEREAS no band, despite its talents, reaches this level of excellence without many hours of tedious practice and considerable sacrifice of time and effort on the part of its individual members; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREFORE CONCURRING, That we heartily commend the Geneva County High School Band and its Director, Mr. Dasinger, for the band's splendid performance in the New Orleans Mardi Gras parade. We assure each member that his conduct and performance reflects much credit on the State of Alabama as well as upon himself.

RESOLVED FURTHER that a copy of this resolution be sent to the Geneva County High School Band and to Mr. Dasinger.

And the resolution, H. J. R. 74, was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 293. Relating to counties having a population of not less than 33,000 nor more than 35,000; to authorize the boards of registrars in such counties to meet an additional ten days per year and to be paid a travel allowance.

Also:

S. 376. To regulate the compensation of jurors in counties having populations of not less than 33,000 nor more than 35,000.

Also:

S. 377. To amend Act No. 235, S. 97, Regular Session 1967, an act providing for the appointment and compensation of deputies and assistants of the sheriff of Barbour County, so as to make further provisions respecting the compensation and appointment of jailers.

Also:

S. 379. Relating to the Office of the Sheriff of Houston County; providing further for the appointment, number, term, duties and compensation of the deputies of the Sheriff, and repealing conflicting laws, including Act No. 163, H. 765, Regular Session 1965 (Approved July 23, 1965).

Also:

S. 409. Relating to counties having a population of not less than 15,500 nor more than 16,300; increasing the salary of the deputy solicitor in such counties.

Also:

S. 422. Relating to counties having a population of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; increasing the salary of the Judge of the Inferior Court for such counties.

Also:

S. 424: Relating to Elmore County: abolishing the Elmore County Law & Juvenile Court and establishing in lieu thereof a court of record to be known as the Elmore County Court; defining the court's jurisdiction and powers; providing for its officers, and for their powers, duties, and compensation; providing for the creation of two divisions of the court, to be known as "The Tallassee Division" and "The Wetumpka Division"; providing for the holding of terms and the sessions of the divisions; providing for the rules and procedure of the court; providing for fees and costs of Court; and providing for the transfer of all cases pending in the Elmore County Law & Juvenile to the Elmore County Court.

Also:

S. 431. To alter, rearrange and extend the boundaries and corporate limits of the Town of Weaver, Calhoun County, Alabama, so as to annex certain territory to the Town.

Also:

S. J. R. 35. Relating to the address to the Legislature by retired U. S. Senator Lister Hill.

S. J. R. 36. Relating to the Legislature recessing on July 15 for the purpose of viewing the film "Senic Alabama, Heart of Dixie".

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 186. To propose an amendment to the Constitution of Alabama to authorize the state to engage in works of internal improvement in connection with (1) the construction and maintenance of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary and (2) to authorize the state to issue in connection therewith interest-bearing general obligation bonds of the state in principal amount not exceeding $10,000,000: and (3) to authorize the state to establish a public corporation with the powers and resources necessary to undertake obligations authorized by this amendment to be undertaken by the state.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 185. To provide for and authorize the organization of a public corporation in the state to be named Coosa Valley Development Authority, for the purpose of furthering the development of a navigable waterway between Montgomery and Gadsden and to the Alabama-Georgia boundary; to designate the officers and members of the board of directors of the Authority; to define and describe the duties and obligations which the Authority is authorized to undertake and discharge

in connection with the proposed waterway project; to prescribe the powers of the Authority; to limit and regulate the Authority's power to enter into contracts; to authorize the Authority to delegate its duties and obligations to other public corporations, agencies and departments of the state and to prescribe the conditions upon which such a delegation shall be effective; to authorize the State Docks Department to provide and maintain suitable and adequate river and canal terminals in accordance with plans approved by the Secretary of the Army and the Chief of Engineers; to authorize the sale and issuance of general obligation bonds of the state in aggregate principal amount not exceeding $10,000,000, the proceeds of which are to be expended by the Authority in discharging its duties and obligations in connection with the proposed waterway project; to make provisions for the sale, execution and issuance of the said bonds; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds; to provide for the disposition of the proceeds of the sale of the said bonds; to provide that the said bonds and the income therefrom shall be exempt from taxation; to authorize and direct the State Treasurer to pay the principal of and interest on the bonds from any available funds of the state; and to provide for the dissolution of the Authority.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 37. Mourning the death of Honorable Robert R. Berryman.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 72. Mourning the death of Representative R. R. Berryman.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:20 P. M. On July 10, 1969.

H. J. R. 72.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Merrill, the House adjourned at 1:19 P. M., until Tuesday, July 15, 1969, at 2 o'clock P. M.

Yeas 57; Nays 7.

Yeas:

Mr. Speaker	Doss	Jones	Owen (Baldwin)
Adwell	Downing	Kilgore	Paulk
Bassett	Ellis	Lemley	Pearson
Beck	Fine	Lybrand	Pennington
Berryman (W)	Foshee	Lyons	Pruitt
Blanton	Gafford	Malone	Robertson
Brannan	Grainger	Marr	Slate
Brown	Harper	Mathews	Snell
Cameron	Harris	Mays	Steagall
Collier	Hill	McLain	Tuck
Collins (C)	Holladay	Meade	Watkins
Collins (W)	Holman	Melton	Wood
Cook (Coffee)	Jackson (F)	Merrill	Yeilding
Culver	Jackson (T)	Neville	Young
Dobbs			—57

Nays:

Messrs.:	Dill	House	Nettles
Agee	Garrett	McCorquodale	Wright
			—7

NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 15, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Rex Dickey, Pastor, Lakeview Baptist Church, Auburn, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Adwell	Doss	Jackson (T)	Pennington
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Foshee	Malone	Slate
Bolton	Gafford	Manley	Smith
Bowers	Garrett	Marr	Snell
Brannan	Gloor	Mathews	Springer
Brassell	Graham	Mays	Starnes
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	McLain	Stubbs
Cameron	Hardin	Meade	Tuck
Cherner	Harper	Meeks	Turnham
Collier	Harris	Melton	Waggoner
Collins (C)	Haygood	Merrill	Watkins
Collins (W)	Headley	Money	Weeks
Cook (Coffee)	Higginbotham	Nettles	Williams
Cook (Jefferson)	Hill	Neville	Wood
Crane	Hobbie	Owen (Baldwin)	Wright
Crawford	Holladay	Owens (W)	Yeilding
Culver	Holman	Owens (W.E.)	Young
Dill	House	Paulk	—103

A quorum was present.

RESOLUTION

The following resolution was introduced:

By Mr. Wood:

H. J. R. 75. A RESOLUTION TO THE EXECUTIVE DEPARTMENT OF THE UNITED STATES GOVERNMENT, AND TO REPUBLICAN MEMBERS OF THE ALABAMA CONGRESSIONAL DELEGATION REQUESTING THAT THE ADMINISTRATION PLANS FOR MASSIVE CROSSTOWN BUSSING AND OTHER RADICAL SCHEMES TO DESTROY NEIGHBORHOOD SCHOOLS IN MOBILE BE RESCINDED.

WHEREAS the freedom of choice pupil assignment plan of the Mobile County Public School System has been found illegal by the U. S. Courts; and

WHEREAS the United States Department of Health, Education and Welfare has recently submitted a plan for Mobile schools calling for the massive crosstown bussing of school children; and

WHEREAS the Republican Administration, acting through Secretary of HEW, Robert Finch, is apparently committed to the complete destruction of neighborhood schools in Mobile County; and

WHEREAS the Administration plans will cost the Mobile School Board in excess of $13 million to implement them; and

WHEREAS HEW has also suggested that the citizens of Mobile pay an additional 5 mills in property tax to carry out its radical scheme, all of which is contrary to Mobile's democratic traditions.

NOW THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING THEREIN:

That the Legislative Assembly of the State of Alabama requests the Republican Administration, and particularly the President of the United States, to take immediate steps to rescind the HEW plan requiring the massive crosstown bussing of Mobile school children.

BE IT FURTHER RESOLVED, that the Republican congressmen from the State of Alabama be requested to intercede on behalf of the people of Mobile County with the Executive Department, Secretary Robert Finch and other high administration officials, with the view of cancelling the radical and punitive plan to destroy the local public schools of Mobile County.

BE IT FURTHER RESOLVED, that the Secretary of State be instructed to send copies of this resolution to the President of the United States; the Secretary of Health, Education and Welfare; Congressman Jack Edwards; Congressman William Dickinson and Congressman John H. Buchanan.

On motion of Mr. Wood, the rules were suspended and H. J. R. 75 was adopted.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the eighteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the eighteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolutions, and ordered same returned to the House with the recommendation that they be adopted:

By Mr. McDermott:

S. J. R. 33. WHEREAS, Mr. Curtis E. Lord, Sr., and his lovely wife, Mrs. Ruth Lord, were recently nominated as American Legion Post Golden Legionnaires by the Woodie Dixon, Jr., Post of the American Legion in Prichard, where Mr. Lord is a charter member, and

WHEREAS, this outstanding couple has devoted a great amount of their time over the years to worthy civic, patriotic, and fraternal causes; Mr. Lord, a veteran of active military service in World War II, the Korean conflict, and the Berlin crisis, has been Post Commander of Woodie Dixon Post three times and is now serving in that office; he has served as 7th district commander twice and has held other high Legion positions. Mrs. Lord has served as president of the Auxiliary three times and 7th district Auxiliary president twice and has held other Legion Auxiliary offices, and

WHEREAS, these fine persons are outstanding citizens of Chickasaw and have contributed greatly to the civic betterment of that city as well as to the City of Prichard, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend the hearty congratulations of this body to these outstanding citizens and convey our best wishes for many more years of similar accomplishments.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to Mr. and Mrs. Lord and a copy sent to Woodie Dixon, Jr., Post, American Legion, in Prichard, Alabama.

And the S. J. R. 33 was concurred in and adopted.

Also:

By Messrs. McDermott, Pelham and Engel:

S. J. R. 32. WHEREAS, The Most Reverend Thomas J. Toolen Archbishop-Bishop of the Diocese of Mobile-Birmingham, in September 1968 celebrated the fifty-eighth anniversary of his ordination as a priest, and

WHEREAS, of these long and fruitful years of service, forty-two years have been spent as Bishop of the Diocese of Mobile-Birmingham, and

WHEREAS, while these long years of service in our State have been difficult and demanding of Archbishop Toolen, yet they have proved most rewarding and beneficial not only to those of the Catholic faith but to all Alabamians, and

WHEREAS, although it may seem that each year witnesses difficulties and problems ever larger and more complex, still this great leader continues to guide his flock in a most capable, understanding and Christian manner, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Archbishop Toolen on his long and great record of service in Alabama and express our wish that God may grant him many more years of service in his ministry in our State.

BE IT FURTHER RESOLVED That a copy of this Resolution be sent to Archbishop Toolen.

And S. J. R. 32 was concurred in and adopted.

Also:

By Messrs. Hawkins, Childs, Bailes, Dominick, Vacca, Morrow and Gilmore:

S. J. R. 31. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Science Building at Jefferson State Junior College be named the H. Y. Carson Building; that the Humanities Building be named the Bethune-DeRamus Building; and that the Student Center be named the Eugene Fitzgerald Building.

And S. J. R. 31 was concurred in and adopted.

Also:

By Messrs. Owen (Baldwin) and Brannan:

H. J. R. 73. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the classroom building at Yancey State Junior College in Bay Minette be named, known and designated as Ernest Stone Hall in recognition of the great contributions to the field of education of State Superintendent of Education, Dr. Ernest Stone.

And H. J. R. 73 was adopted.

Also:

By Messrs. Jackson (F) and Foshee:

H. J. R. 74. WHEREAS the Geneva County High School Band under the able leadership of band director, Norman R. Dasinger, was selected as one of the bands to participate in the New Orleans Mardi Gras parade in February 1968; and

WHEREAS this band was the only band chosen from the State of Alabama to participate in the night parade highlighting the Mardi Gras festivities, which was indeed a signal honor; and

WHEREAS no band, despite its talents, reaches this level of excellence without many hours of tedious practice and considerable sacrifice of time and effort on the part of its individual members; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend the Geneva County High School Band and its Director, Mr. Dasinger, for the band's splendid performance in the New Orleans Mardi Gras parade. We assure each member that his conduct and performance reflects much credit on the State of Alabama as well as upon himself.

RESOLVED FURTHER that a copy of this resolution be sent to the Geneva County High School Band and to Mr. Dasinger.

And H. J. R. 74 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 23. Memorializing Congress to investigate the discontinuance of passenger train service in the United States.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 76. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Nineteenth Legislative Day, taking precedence over any other business in the House on this day:

Uncontested Local Bills:

SB 445, Page 135

SB 446, Page 136

HB 891, Page 123

HB 857, Page 97

SB 225, Page 132

HB 858, Page 97

SB 226, Page 132

HB 886, Page 119

SB 227, Page 133

HB 888, Page 118

SB 228, Page 133

SB 238, Page 133

HB 360, Page 49

SB 239, Page 133

HB 420, Page 51

SB 240, Page 134

HB 423, Page 75

SB 249, Page 134

HB 452, Page 52

SB 510, Page 136

SB 511, Page 137

HB 19, Page 61

SB 209, Page 129

SB 210, Page 131

HB 892, Page 124

HB 137, Page 76

HB 776, Page 77

HB 777, Page 77

HB 826, Page 109

SB 176, Page 82
HB 780, Page 96
HB 529, Page 110
HB 530, Page 111
SB 126, Page 90
HB 89, Page 14
HB 749, Page 73
HB 270, Page 34
HB 584, Page 60
HB 414, Page 49
HB 492, Page 33
HB 108, Page 1
HB 424, Page 41
HB 422, Page 41
HB 588, Page 31
HB 201, Page 30
HB 200, Page 29
HB 288, Page 12
HB 533, Page 72
HB 21, Page 19
HB 765, Page 69
SB 20, Page 109
HB 778, Page 78
HB 779, Page 78
HB 373, Page 83
HB 141, Page 17
HB 301, Page 10
HB 302, Page 11
HB 303, Page 11
HB 840, Page 126
HB 841, Page 127
HB 842, Page 127
HB 870, Page 99
HB 106, Page 56
HB 293, Page 14
HB 653, Page 66
HB 369, Page 99

This resolution having originated in the Rules Committee was acted upon by such Committee in session, and returned therefrom to the House with the recommendation that it be adopted.

On motion of Mr. Merrill, H. R. 76 was adopted.

MOTION IN WRITING TO RECONSIDER H. 817

Mr. Berryman (W), having voted with the prevailing side, filed a motion in writing to reconsider the vote by which the bill, H. 817, was passed, and the motion was granted.

And the bill:

H. 817. To levy additional county privilege license and excise taxes for public school purposes in Franklin County paralleling, with like provisions for the county, such state sales and use taxes levied by Act No. 100, Second Special Session 1959, as amended, and Acts supplemental thereto, and levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended, and Acts supplemental thereto; providing for the enforcement and collection of such taxes by the department of revenue and the distribution of the proceeds thereof and providing that this Act supersedes Act No. 516, approved November 19, 1959, Acts of Alabama 1959, Volume 2, page 1267.

Was taken up.

Mr. Berryman (W) offered the following amendment to the bill, H. 817:

In Section 5, in the third sentence from the end of the section, strike out the following words and figures: in an amount equal to three-fourths of the amount so certified by the commissioner of revenue as having been collected for the use of Franklin County, and insert in lieu thereof the following: in an amount equal to such proportion of the amount so certified by the commissioner of revenue as having been collected for the use of Franklin County, as the pupils in average daily attendance in the public schools of Franklin County bears to the total number of pupils in average daily attendance in the public schools in both the county and the City of Russellville;

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Doss	Lybrand	Perloff
Agee	Downing	Lyons	Pruitt
Bank	Ellis	Malone	Robertson
Bassett	Fine	Manley	Sessions
Beck	Gafford	Marr	Shumate
Berryman (W)	Garrett	Mays	Slate
Blanton	Graham	McCorquodale	Snell
Brannan	Grainger	McElhaney	Springer
Brassell	Grayson	McLain	Starnes
Brown	Hain	Meade	Stembridge
Burgreen	Hardin	Melton	Stubbs
Collier	Harper	Merrill	Tuck
Collins (C)	Harris	Money	Turnham
Collins (W)	Haygood	Nettles	Williams
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Wood
Crane	Hill	Owens (W)	Wright
Crawford	Jackson (T)	Paulk	Yeilding
Dill	Laxson	Pearson	Young
Dobbs	Lemley	Pennington	—75

And the bill, H. 817, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Pearson
Agee	Fine	Lybrand	Pennington
Bassett	Gafford	Lyons	Perloff
Beck	Garrett	Malone	Pruitt
Berryman (W)	Graham	Manley	Sessions
Blanton	Grainger	Marr	Shumate
Brassell	Grayson	Mays	Slate
Brown	Hain	McCorquodale	Snell
Burgreen	Hardin	McElhaney	Springer
Collier	Harper	Meade	Starnes
Collins (C)	Harris	Meeks	Steagall
Collins (W)	Haygood	Melton	Stembridge
Crane	Headley	Merrill	Tuck
Crawford	Higginbotham	Money	Turnham
Dill	Hill	Nettles	Williams
Dobbs	House	Owen (Baldwin)	Wood
Doss	Jackson (T)	Owens (W)	Yeilding
Downing	Laxson	Paulk	Young

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Weeks:

H. J. R. 77. WHEREAS the Alabama Department of the American Legion, at its 51st state convention, to be held in Birmingham on July 18 through July 20, will be addressed by William C. "Bill" Doyle, the National Commander of the Legion, and Donald E. Johnson, Administrator of the U. S. Veterans Administration, and

WHEREAS Bill Doyle, a thrice-wounded, much decorated army veteran of World War II, has devoted most of his adult life to military and veteran's affairs, and is now a Brigadier General in the New Jersey National Guard and Superintendent of the Vineland State Soldiers Home, and

WHEREAS Donald E. Johnson, a Past National Commander of the Legion, is an outstanding Iowa businessman, a decorated combat veteran, and a distinguished public servant, and has brought to his vital post the ability and knowledge to oversee the many important functions of the Veteran's Administration, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That on behalf of the veterans and servicemen of Alabama we express our congratulations to the Alabama Department of the American Legion on the occasion of its 51st annual state convention and extend to William C. "Bill" Doyle and Donald E. Johnson our sincere and cordial welcome to the State of Alabama.

On motion of Mr. Weeks, the rules were suspended and H. J. R. 77 was adopted.

Also:

By Mr. Collins (W):

H. J. R. 78. WHEREAS the Department of Health, Education and Welfare under the blind direction of its secretary, Mr. Robert H. Finch, is either wilfully or negligently completely destroying the Mobile County, Alabama school system by its amaurotic insistence upon busing thousands of students from one end of the county to the other for no purpose other than to achieve what it considers to be a "racial balance" of students; and

WHEREAS this insensate transportation of students without regard to the wishes of the children of either race or to those of their parents, will result not only in the closing of several good, well equipped, established Negro schools which were a source of pride to their patrons, (Central High School, Mobile County High School and the recently constructed Toulminville Jr. High School, to name a few, the closing of which is a costly and needless expense), but it will alienate sensitive relationships and feelings of mutual respect which men of good will of both races have sought to achieve under the most difficult of circumstances for over a hundred years. Judging from our past experiences with the so-called guidlines of HEW, we do not in our wildest flights of fancy, imagine that this far-removed and arrogant department or its myopic secretary knows or cares about human relationships. It is not remotely aware that social equality can never be achieved either by legislation or by bureaucratic dictate, and it is perfectly willing to sacrifice equality in educational opportunity in order to impose its will; and

WHEREAS Mr. Finch, in an interview reported in U. S. News and World Report on March 10, 1969, answered as follows to the proposed questions. Question: "If it is determined that there is no intentional discrimination involved in an all-black school in an all-black neighborhood, is it your position that the school board should then be required to take affirmative action to break this up?"

Answer: "No. You have a number of situations, particularly in the North, where you find that. You have it here in the District of Columbia. And it seems to be that no one should expect—just in order to achieve some kind of 'salt-and-pepper' effect—that we should haul kids into a situation where, again, you may end up lessening their opportunities for learning just in order to say, 'Now there are a certain number of whites in what would otherwise be an all-black situation.' The Negroes don't want that, either."

Why does this seemingly perceptive approach apply only in Northern areas where many Negroes have recently moved and have been purposefully relegated to so-called ghettos, yet does not apply to Southern areas where Negro neighborhoods are the natural outgrowth of years of personal choice?

In the same report, to the further question: "You're not going to insist on busing to achieve racial balance—", Mr. Finch answered, "No. The law forbids it." We know of no change in the law since that date. Mr. Finch further indicated that his primary interest was in securing equal educational opportunities for all races. Does HEW suffer from tunnel blindness, and is Mr. Finch the victim of its contagion? We think not. We believe the current practices of HEW are the result of nothing more than political expediency motivated by the administration's desire to placate a vicious, communistic group dead set on destroying the public school systems throughout our land. This group is not representative of the responsible element of any minority, but it is taking every advantage of ignorance and stupidity at governmental levels in order to achieve chaos and havoc at local levels; and

WHEREAS during his recent campaign for the presidency, President Nixon expressed the thought that this is a good time to consider the possible benefits decentralization might bring, including the possible solution for the problem of public schools, welfare, poverty programs and racial equality. He said, "Power has been flowing to Washington for a third of a century, and now its time to start it flowing back—to the states, to the communities, and to the people." Now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mr. Finch be respectfully requested to reappraise the Mobile County, Alabama public school system, which is on the brink of total destruction as the result of the invidious directives of HEW. These nationwide directives have become so increasingly contradictory, muddled and obscure as to be interpreted in some areas of the country in any manner so desired, but they have come through loud and clear as to the intendment of the complete annihilation of the Mobile County, Alabama public school system. We beseech Mr. Finch to reassess the situation in Mobile County and to change HEW directives to such extent that the education of all children may proceed in a peaceful, orderly and effective manner.

BE IT FURTHER RESOLVED that each member of Alabama's Congressional Delegation be strongly urged to use the full extent of his ability and influence to change the senseless directives of HEW in order to save the Mobile County, Alabama public school system from total destruction, and to turn these schools back to local authorities in accordance with President Nixon's avowed intentions during campaign times.

RESOLVED FURTHER that copies of this resolution be sent to the President of the United States, to each member of Alabama's Congressional Delegation, to Mr. Finch and to the Department of Health, Education and Welfare.

On motion of Mr. Collins (W), the rules were suspended and H. J. R. 78 was adopted.

Also:

By Mr. Marr:

H. J. R. 79. WHEREAS James B. Allen, recently elected to the United States Senate from Alabama, has shown himself in the first few months of office to be a diligent and exemplary member of that august body, closely scrutinizing its actions and making every effort to protect the interests of the people of Alabama and the United States; and

WHEREAS Senator Allen has never hesitated to speak out against the efforts of the federal bureaucracy to destroy and dismember the institutions of the states, and has exposed and chastised judges, cabinet officers and other officials for actions against those institutions, and for misbehavior in office; and

WHEREAS Senator Allen's courageous and skilful efforts in the Senate have caused the people of Alabama and the members of this body to be proud and happy that he was chosen to represent us in Washington; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby extend an invitation to Senator Allen to address a joint session of the Senate and House of Representatives of the State of Alabama on August 19, 1969, at 1:00 PM. Senator Allen's many friends and supporters in this body and the people of Alabama will extend a cordial welcome to the Senator and

the members of his family and staff who can attend this session, and the people of Alabama will welcome his report on the national scene.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Senator Allen with an urgent plea that he accept our invitation.

On motion of Mr. Marr, the rules were suspended and H. J. R. 79 was adopted.

Also:

By Messrs. Bolton, Smith and Mathews:

H. J. R. 80. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That that strip of road in Talladega County and Clay County, designated State Highway 148, which connects State Highway 9 at Millerville, Alabama with State Highway 21 and U. S. Highway 231 at Sylacauga, Alabama, is hereby designated and shall be known as "The Bill Nichols Scenic Highway".

BE IT FURTHER RESOLVED, That the state highway department is authorized and directed to have erected and maintained at the entrances to the road appropriate signs or markers designating the road as above provided.

On motion of Mr. Bolton, the rules were suspended and H. J. R. 80 was adopted.

RECESS

On motion of Mr. Bolton, the House recessed for forty minutes, until 3:10 o'clock P. M.

JOINT SESSION

Pursuant to S. J. R. 36 previously concurred in and adopted by the House, the Senate and House of Representatives met in joint session for the purpose of viewing a film on scenic Alabama.

HOUSE RECONVENES

The hour of 3:10 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

RESOLUTION

The following resolution was introduced:

By Messrs. Watkins, Gafford, Bowers, Jackson (T), Crane, Waggoner, Kilgore, Money, Gloor, Sessions, Dill, Ellis, Yeilding, House, Cook (Jefferson), Weeks, Downing, Cherner, Meeks and Holman:

H. J. R. 81.

A RESOLUTION IN MEMORY OF PATROLMAN KENNETH L. SPENCER, JR.

WHEREAS, on July 13, 1969, Kenneth L. Spencer, Jr., a patrolman of the Police Department of the City of Birmingham, born July 21, 1942, in Greenfield, Massachusetts, was on an extra duty assignment at an integrated public swimming pool at Charles A. Harris Park in Ensley, Birmingham, Alabama, for the purpose of maintaining law

and order for the protection of those using the pool, particularly children and youths;

WHEREAS, Patrolman Spencer, while attempting to arrest a 23 year old Negro, with a record of convictions for robbery and assault with intent to murder, who was creating a disturbance at the pool, was attacked by the previously convicted trouble maker, and in the ensuing encounter was shot at point blank range and killed with his own service revolver.

WHEREAS, Patrolman Spencer lost his life in an effort to protect the youth and children using the pool, incidentally all Negro, and thus lost his life upholding the long tradition of the Birmingham Police Department of maintaining law and order and protecting the lives of all citizens of the community, without regard to race, color or creed;

WHEREAS, Patrolman Spencer is to be highly commended for his courageous behavior on the occasion;

WHEREAS, the Legislature deplores the conditions which contributed to the untimely death of this fine young police officer;

WHEREAS, Patrolman Spencer was survived by a wife, a young son, residents of Birmingham, and by his parents, three sisters and four brothers, all residents of the State of California.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, as follows:

1. The Legislature recognizes the heroic sacrifice of Patrolman Kenneth L. Spencer, Jr., a casualty in the never ending war against crime and violence.

2. The citizens of Alabama mourn the loss of Patrolman Spencer, deplore his untimely death, and express their deep and sincere sympathy to the members of his family.

3. The attention of the people of Alabama is called to this sacrificial service in the line of duty, another example of the dedicated work of police officers in the City of Birmingham and all over the nation, in their day to day battle to maintain law and order in the face of growing threats from criminals, hoodlums, radicals and disturbers of the peace.

4. A copy of this resolution shall be sent to the members of Patrolman Spencer's family, viz:

His wife, Mrs. Ann Spencer and his son, Edward Lee Spencer, 309 —19th Street, S. W., Birmingham, Alabama.

His parents, Mr. and Mrs. Kenneth L. Spencer, Ridge Crest, California.

His sisters, Mrs. Rick Butler and Mrs. Donald Tippits of Watsonville, California, and Miss Debbie Spencer of Ridge Crest, California.

His brothers, Douglas Spencer of Watsonville, California, and Larry Spencer, George Spencer, Bobby Spencer of Ridge Crest, California.

On motion of Mr. Watkins, the rules were suspended and H. J. R. 81 was adopted.

MOTION TO BRING UP H. 288 LOST

The motion of Mr. Downing to suspend the rules and bring up out of order the bill, H. 288, was lost.

Yeas 40; Nays 25.

Yeas:

Messrs.:	Collins (W)	Harper	Nettles
Adwell	Cook (Jefferson)	Haygood	Pearson
Bank	Culver	Higginbotham	Perloff
Bassett	Dobbs	Hobbie	Robertson
Berryman (W)	Downing	House	Shumate
Blanton	Edington	Kilgore	Steagall
Brannan	Ellis	Lemley	Stubbs
Brassell	Gloor	Mays	Watkins
Brown	Hain	Melton	Weeks
Burgess	Hardin	Money	Wood
Collier			

—40

Nays:

Mr. Speaker	Grainger	McCorquodale	Springer
Agee	Harris	Merrill	Starnes
Collins (C)	Headley	Owens (W)	Stembridge
Crawford	Lybrand	Slate	Turnham
Fine	Malone	Smith	Wright
Garrett	Mathews	Snell	Yeilding
Graham			

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RESOLUTION

The following resolution was introduced:

By Messrs. Ellis, Collins (C), Laxson, McLain, Grainger, Jones and Pennington:

H. J. R. 82. WHEREAS, The Marshall Space Flight Center is located in Huntsville, Alabama, the former capital of our state, and all the people of the nation recognize the tremendous importance of the role it has played in space exploration; and

WHEREAS, Huntsville, Alabama is the natural home of one of the leading space scientists of the world—Dr. Werhner Von Braun, of whom all Alabamians take great pride in his accomplishments in the peaceful exploration of space; and

WHEREAS, Native Alabamians may point with pride to the part each has played in making possible this most historic step of man in all his five thousand years of recorded, civilized history, and all of us can also be proud of our new Space Museum in the Space City which the State has built to preserve and record for all time these momentous first steps in the exploration of the last frontier; and

WHEREAS, Our great state is celebrating its sesquicentennial year of existence and in all of its 150 years of glorious history probably no more exciting step will have ever been taken than will be the placing of the Alabama flag on the moon by Astronauts Neil A. Armstrong, Michael Collins, and Edwin E. Aldrin, Jr.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That the Alabama Legislature in regular session wish the Astronauts God speed on their historic voyage to the moon and acclaim their heroic deed, and

BE IT FURTHER RESOLVED That the Alabama Legislature do hereby extend an invitation to, and would be honored and very proud to have, Dr. Werhner Von Braun and Astronauts Armstrong, Collins and Aldrin, address us in a joint session, and through mass media, all other Alabamians.

On motion of Mr. Ellis, the rules were suspended and H. J. R. 82 was adopted.

BILLS ON THIRD READING

And the bill:

H. 793. To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissioners of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

Was taken up.

Mr. Turnham offered the following substitute to the bill, H. 793:

A BILL
TO BE ENTITLED
AN ACT

To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissions of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 1 and 2 of Act No. 230, H. 597 Regular Session 1959 (Acts 1959, p. 775) relating to the privilege or license tax on distributors or sellers of malt or brewed beverages to retailers in Lee County are amended to read as follows:

"Section 1. The court of county commissions or like governing body of Lee County may levy a privilege or license tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering to retailers in Lee County any malt or brewed beverages, (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume), which tax shall be in an amount equal to not more than four cents on quantities of twelve fluid ounces or less, six cents on quantities of more than twelve but not exceeding sixteen fluid ounces, and eight cents on quantities of more than sixteen but not exceeding twenty-four fluid ounces; and four cents on each twelve fluid ounces or fractional part thereof in excess of twenty-four fluid ounces of malt or brewed beverages sold, delivered or distributed to retailers located in the county. The privilege or license tax herein authorized shall be in addition to all other taxes and licenses now or hereafter authorized or imposed by law.

"Section 2. The privilege or license tax authorized by this act shall be collected by, or under the supervision of the court of county commissioners or like governing body of Lee County. The court of county commissions or like governing body shall apportion and distribute the proceeds of the tax as follows: One-half of the proceeds of the tax shall be paid to the custodian of county school funds to the credit of the county board of education and shall be used solely for public school purposes. The remaining one-half of the proceeds of the tax shall be apportioned and distributed among the county and each incorporated city or town within the county, so that the portion of the proceeds collected within the corporate limits or police jurisdiction of

each incorporated city or town within the county shall be paid over to such city or town and the portion of the proceeds collected in the county outside the corporate limits and police jurisdictions of incorporated cities or towns within Lee County shall be retained by the county. The portion of the proceeds paid hereunder to each incorporated municipality within the county shall be covered into the general funds of the city or town; and the portion of the proceeds retained by the county shall be covered into the general fund of Lee County, to be used for governmental purposes of the county as other moneys in the general fund of Lee County are now used."

Section 2. This act shall become effective on the first day of the second month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Holladay	Pearson
Adwell	Drake	House	Pennington
Agee	Edington	Jackson (T)	Pruitt
Bassett	Ellis	Kilgore	Robertson
Beck	Fine	Laxson	Sessions
Berryman (W)	Gafford	Lemley	Shumate
Blanton	Garrett	Lybrand	Slate
Bolton	Gloor	Lyons	Smith
Brannan	Graham	Malone	Snell
Brassell	Grainger	Manley	Springer
Burgess	Grayson	Marr	Starnes
Burgreen	Hain	Mathews	Steagall
Collier	Hardin	Mays	Stembridge
Collins (C)	Harper	McCorquodale	Tuck
Collins (W)	Harris	Meade	Turnham
Cook (Jefferson)	Haygood	Melton	Waggoner
Crane	Headley	Merrill	Weeks
Crawford	Higginbotham	Money	Williams
Culver	Hill	Nettles	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young
Dobbs			

—81

And the bill, H. 793, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cameron	Fine	Higginbotham
Adwell	Collier	Gafford	Hobbie
Agee	Collins (C)	Garrett	Holladay
Bank	Collins (W)	Gloor	House
Bassett	Cook (Jefferson)	Graham	Jackson (T)
Berryman (W)	Crane	Grainger	Kilgore
Blanton	Crawford	Grayson	Laxson
Bolton	Culver	Hain	Lemley
Brannan	Dill	Hardin	Lybrand
Brassell	Dobbs	Harper	Lyons
Brown	Downing	Harris	Malone
Burgess	Drake	Haygood	Manley
Burgreen	Edington	Headley	Marr

Mays	Owen (Baldwin)	Shumate	Tuck
McCorquodale	Owens (W)	Slate	Turnham
McElhaney	Pearson	Smith	Waggoner
Meade	Pennington	Snell	Weeks
Melton	Perloff	Springer	Williams
Merrill	Pruitt	Starnes	Wright
Money	Robertson	Steagall	Yeilding
Nettles	Sessions	Stembridge	Young

—84

And the bill:

H. 830. To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Perloff
Adwell	Downing	Kilgore	Pruitt
Agee	Drake	Laxson	Robertson
Bank	Edington	Lemley	Sessions
Bassett	Fine	Lybrand	Shumate
Beck	Gafford	Lyons	Slate
Berryman (W)	Garrett	Manley	Smith
Blanton	Graham	Marr	Snell
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Burgess	Hain	McElhaney	Steagall
Burgreen	Hardin	Melton	Stembridge
Cameron	Harper	Merrill	Tuck
Collier	Harris	Money	Turnham
Collins (W)	Haygood	Nettles	Waggoner
Cook (Jefferson)	Headley	Owen (Baldwin)	Williams
Crane	Higginbotham	Owens (W)	Wright
Crawford	Hill	Pearson	Yeilding
Culver	Hobbie	Pennington	Young
Dill	House		

—78

And the bill:

S. 263 (with amendment). To authorize the circuit clerk of Autauga County to appoint two deputies and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend Senate Bill No. 263 as follows:

In caption, strike the words "two deputies" and insert in lieu thereof the following: "one deputy clerk".

Strike Section 1 in its entirety and insert in lieu thereof the following:

"Section 1. The clerk of the circuit court of Autauga County, Alabama, may appoint one deputy clerk to serve under his direction and

at his pleasure. The deputy clerk so appointed shall be paid an annual salary of not less than $3,600, and not more than $4,800, which shall be fixed and determined by the Board of Revenue and Control, Court of County Commissioners, or other like Governing Body of the County and shall be paid in equal monthly installments, out of the Highway and Traffic Fund or the General Fund of the County upon proper claim being made."

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pennington
Adwell	Downing	Kilgore	Perloff
Agee	Drake	Laxson	Pruitt
Bank	Edington	Lemley	Robertson
Bassett	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mathews	Springer
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cameron	Hardin	Meade	Tuck
Collier	Harper	Melton	Turnham
Collins (W)	Harris	Merrill	Waggoner
Cook (Coffee)	Headley	Money	Weeks
Cook (Jefferson)	Higginbotham	Nettles	Williams
Crawford	Hill	Owen (Baldwin)	Wright
Culver	Hobbie	Owens (W)	Yeilding
Dill	House	Pearson	Young

—84

And the bill, S. 263, as thus amended, was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Pennington
Adwell	Downing	Holladay	Perloff
Agee	Drake	House	Pruitt
Bank	Edington	Jackson (T)	Robertson
Bassett	Ellis	Kilgore	Sessions
Berryman (W)	Fine	Laxson	Shumate
Blanton	Gafford	Lemley	Slate
Bolton	Garrett	Lybrand	Smith
Brannan	Gloor	Lyons	Snell
Brassell	Graham	Manley	Springer
Burgess	Grainger	Marr	Starnes
Burgreen	Grayson	Mays	Steagall
Cameron	Hain	McElhaney	Stembridge
Collier	Hardin	Meade	Tuck
Collins (W)	Harper	Melton	Turnham
Cook (Coffee)	Harris	Merrill	Waggoner
Cook (Jefferson)	Haygood	Nettles	Weeks
Crane	Headley	Owen (Baldwin)	Williams
Crawford	Higginbotham	Owens (W)	Yeilding
Culver	Hill	Pearson	Young
Dill			

—81

And the bill:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 5.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Owens (W)	
Adwell	Downing	Holladay	Pearson	
Agee	Drake	Laxson	Pennington	
Bank	Edington	Lemley	Perloff	
Bassett	Ellis	Lybrand	Pruitt	
Berryman (W)	Fine	Lyons	Shumate	
Blanton	Garrett	Manley	Slate	
Brannan	Gloor	Marr	Snell	
Brassell	Graham	Mays	Springer	
Brown	Grainger	McElhaney	Starnes	
Burgess	Grayson	Meade	Steagall	
Burgreen	Hain	Meeks	Stembridge	
Cameron	Hardin	Melton	Tuck	
Collier	Harper	Merrill	Turnham	
Collins (C)	Harris	Money	Weeks	
Collins (W)	Haygood	Nettles	Williams	
Crawford	Headley	Neville	Yeilding	
Culver	Higginbotham	Owen (Baldwin)	Young	
Dill	Hill			—74

Nays:

Messrs.:	Gafford	Kilgore	Waggoner	
Cook (Jefferson)	House			—5

And the bill:

H. 794. To alter, rearrange, extend and redefine the boundaries and corporate limits of the Town of Ardmore in Limestone County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Gloor	Kilgore
Agee	Collins (W)	Graham	Laxson
Bank	Cook (Coffee)	Grainger	Lemley
Bassett	Crawford	Grayson	Lybrand
Berryman (W)	Culver	Hain	Lyons
Blanton	Dill	Hardin	Malone
Bolton	Dobbs	Harper	Manley
Brannan	Downing	Harris	Marr
Brassell	Drake	Headley	Mays
Brown	Edington	Higginbotham	McCorquodale
Burgess	Ellis	Hill	Meade
Burgreen	Fine	Hobbie	Melton
Cameron	Gafford	House	Merrill
Collier	Garrett	Jackson (T)	Money

Nettles	Perloff	Springer	Turnham
Neville	Pruitt	Starnes	Waggoner
Owen (Baldwin)	Shumate	Steagall	Weeks
Owens (W)	Slate	Stembridge	Williams
Pearson	Smith	Stubbs	Yeilding
Pennington	Snell	Tuck	Young

—80

And the bill:

H. 851. Relating to counties having populations of not less than 14,500 nor more than 14,900; to provide for the qualifications of the superintendent of education in any such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pennington
Agee	Fine	Lemley	Perloff
Bank	Gafford	Lybrand	Pruitt
Bassett	Garrett	Lyons	Robertson
Berryman (W)	Gloor	Malone	Slate
Blanton	Graham	Manley	Smith
Bolton	Grainger	Marr	Snell
Brannan	Grayson	Mays	Springer
Brassell	Hain	McCorquodale	Starnes
Brown	Hardin	McElhaney	Steagall
Burgess	Harper	Meade	Stembridge
Burgreen	Harris	Melton	Stubbs
Cameron	Headley	Merrill	Tuck
Collier	Higginbotham	Money	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Weeks
Crawford	House	Owen (Baldwin)	Williams
Dill	Jackson (T)	Owens (W)	Wright
Downing	Kilgore	Pearson	Young
Drake			

—77

And the bill:

H. 859. Relating to Calhoun County; authorizing municipalities in said county to pay hospital and medical expenses of any municipal employee injured in line of duty.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Burgess	Downing	Hain
Agee	Burgreen	Drake	Hardin
Bank	Cameron	Edington	Harper
Bassett	Collier	Fine	Harris
Berryman (W)	Collins (C)	Gafford	Headley
Blanton	Collins (W)	Garrett	Higginbotham
Bolton	Cook (Coffee)	Gloor	Hill
Brannan	Crawford	Graham	Hobbie
Brassell	Dill	Grainger	Holladay
Brown	Dobbs	Grayson	House

Jackson (T)	McCorquodale	Pearson	Starnes
Kilgore	Meade	Pennington	Steagall
Laxson	Melton	Perloff	Stembridge
Lemley	Merrill	Pruitt	Stubbs
Lybrand	Money	Shumate	Tuck
Lyons	Nettles	Slate	Turnham
Malone	Neville	Smith	Weeks
Manley	Owen (Baldwin)	Snell	Williams
Marr	Owens (W)	Springer	Young
Mays			—77

And the bill:

H. 868. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Tax Collector and the Tax Assessor of Perry County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Perloff
Agee	Edington	Laxson	Pruitt
Bank	Ellis	Lemley	Robertson
Bassett	Fine	Lybrand	Shumate
Blanton	Gafford	Lyons	Slate
Bolton	Garrett	Malone	Smith
Brannan	Gloor	Manley	Snell
Brown	Graham	Marr	Springer
Burgess	Grainger	Mays	Starnes
Burgreen	Grayson	McCorquodale	Steagall
Cameron	Hain	Meade	Stembridge
Collier	Hardin	Melton	Stubbs
Collins (C)	Harper	Merrill	Tuck
Collins (W)	Harris	Money	Turnham
Cook (Coffee)	Headley	Nettles	Waggoner
Cook (Jefferson)	Higginbotham	Neville	Weeks
Crawford	Hill	Owen (Baldwin)	Williams
Culver	Hobbie	Owens (W)	Wright
Dill	House	Pearson	Yeilding
Dobbs	Jackson (T)	Pennington	Young
Downing			—81

And the bill:

H. 869. Relating to Perry County; to provide an allowance for clerk hire and expenses for the Circuit Court Clerk of Perry County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Coffee)	Edington
Agee	Brown	Cook (Jefferson)	Ellis
Bank	Burgess	Crawford	Fine
Bassett	Burgreen	Culver	Gafford
Berryman (W)	Cameron	Dill	Garrett
Blanton	Collier	Dobbs	Gloor
Bolton	Collins (C)	Downing	Graham
Brannan	Collins (W)	Drake	Grainger

Grayson	Lemley	Nettles	Springer
Hain	Lybrand	Neville	Starnes
Hardin	Lyons	Owen (Baldwin)	Steagall
Harper	Malone	Owens (W)	Stembridge
Harris	Manley	Pearson	Stubbs
Headley	Marr	Pennington	Tuck
Higginbotham	Mathews	Perloff	Turnham
Hill	Mays	Pruitt	Waggoner
Hobbie	McCorquodale	Robertson	Williams
House	Meade	Shumate	Wright
Jackson (T)	Melton	Slate	Yeilding
Kilgore	Merrill	Smith	Young
Laxson	Money	Snell	

—83

And the bill:

H. 871. To alter, rearrange and extend the boundary lines of the City of Scottsboro, Jackson County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Pennington
Agee	Downing	Jackson (T)	Perloff
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Laxson	Robertson
Blanton	Ellis	Lemley	Shumate
Bolton	Fine	Lybrand	Slate
Brannan	Gafford	Lyons	Smith
Brassell	Garrett	Malone	Snell
Brown	Gloor	Manley	Springer
Burgess	Graham	Marr	Starnes
Burgreen	Grainger	Mays	Steagall
Cameron	Grayson	Meade	Stembridge
Collier	Hain	Melton	Stubbs
Collins (C)	Hardin	Merrill	Tuck
Collins (W)	Harper	Money	Turnham
Cook (Coffee)	Harris	Nettles	Weeks
Cook (Jefferson)	Headley	Neville	Williams
Crane	Higginbotham	Owen (Baldwin)	Wright
Crawford	Hill	Owens (W)	Yeilding
Culver	Hobbie	Pearson	Young
Dill			

—81

And the bill:

H. 873. To alter and rearrange the boundaries of the City of Eutaw, Greene County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bolton	Brown
Agee	Berryman (W)	Brannan	Burgess
Bank	Blanton	Brassell	Burgreen

Cameron	Graham	Malone	Shumate
Collier	Grainger	Manley	Slate
Collins (C)	Grayson	Marr	Smith
Collins (W)	Hain	Mays	Snell
Cook (Coffee)	Hardin	Meade	Springer
Cook (Jefferson)	Harper	Melton	Starnes
Crane	Harris	Merrill	Steagall
Crawford	Headley	Money	Stembridge
Dill	Higginbotham	Nettles	Stubbs
Dobbs	Hill	Neville	Tuck
Downing	Hobbie	Owen (Baldwin)	Turnham
Drake	Jackson (T)	Owens (W)	Weeks
Edington	Kilgore	Pearson	Williams
Fine	Laxson	Pennington	Wright
Gafford	Lemley	Perloff	Yeilding
Garrett	Lybrand	Pruitt	Young
Gloor	Lyons	Robertson	—79

And the bill:

H. 876. To amend further Act No. 394, H. 828, Regular Session 1961, an act providing deputies and assistants for the sheriff of Lee County in relation to the number and compensation of such deputies and assistants.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pennington
Agee	Drake	Kilgore	Perloff
Bank	Edington	Laxson	Pruitt
Bassett	Ellis	Lemley	Shumate
Berryman (W)	Fine	Lybrand	Slate
Blanton	Gafford	Lyons	Smith
Bolton	Garrett	Malone	Snell
Brannan	Gloor	Manley	Springer
Brassell	Graham	Marr	Starnes
Brown	Grainger	Mathews	Steagall
Burgess	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Cameron	Hardin	Meade	Tuck
Collier	Harper	Melton	Turnham
Collins (C)	Harris	Merrill	Weeks
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wright
Crane	Hill	Owen (Baldwin)	Yeilding
Crawford	Hobbie	Owens (W)	Young
Dill	House	Pearson	
Dobbs			—81

And the bill:

H. 898. To amend Act No. 109, H. 379, Regular Session of 1951 (Acts 1951, Vol. 1, page 334). To impose extra, new and additional duties upon each member of the Court of County Commissioners of Perry County, Alabama and to provide additional compensation for the performance of such duties, and the method of payment of such compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pennington
Agee	Downing	Laxson	Pruitt
Bank	Drake	Lemley	Robertson
Bassett	Edington	Lybrand	Shumate
Beck	Ellis	Lyons	Slate
Berryman (W)	Fine	Malone	Smith
Blanton	Gafford	Manley	Snell
Bolton	Garrett	Marr	Springer
Brannan	Gloor	Mathews	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McCorquodale	Stembridge
Burgess	Hain	McElhaney	Stubbs
Burgreen	Hardin	Meade	Tuck
Cameron	Harper	Melton	Turnham
Collier	Harris	Merrill	Waggoner
Collins (C)	Headley	Money	Weeks
Collins (W)	Higginbotham	Nettles	Williams
Cook (Coffee)	Hill	Neville	Wright
Crane	Hobbie	Owen (Baldwin)	Yeilding
Crawford	House	Owens (W)	Young
Dill	Jackson (T)	Pearson	

—83

And the bill:

H. 878. Relating to Marshall County; providing further for the salary and other allowances for the register of the circuit court; repealing conflicting laws and specifically repealing conflicting provisions of Act No. 293, H. 801, Regular Session 1963 (Acts 1963, p. 754) as amended, an act changing the method of compensating certain officers of Marshall County, and specifically repealing Act No. 350, of the Regular Session of the 1965 Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pennington
Agee	Ellis	Lemley	Perloff
Bassett	Fine	Lybrand	Pruitt
Beck	Gafford	Lyons	Robertson
Berryman (W)	Garrett	Malone	Shumate
Blanton	Gloor	Manley	Slate
Bolton	Graham	Marr	Snell
Brannan	Grainger	Mathews	Starnes
Brassell	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Burgreen	Hardin	McElhaney	Stubbs
Cameron	Harper	Meade	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Weeks
Cook (Coffee)	Higginbotham	Nettles	Williams
Crawford	Hill	Neville	Wood
Dill	Hobbie	Owen (Baldwin)	Wright
Dobbs	House	Owens (W)	Yeilding
Downing	Jackson (T)	Pearson	Young
Drake			

—81

And the bill:

H. 896. To apply only in counties having populations of not less than 27,000 nor more than 30,000; providing expense allowances for members of the county board of equalization payable from the general funds of the county; and giving the act retroactive effect.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Pruitt
Agee	Ellis	Lemley	Robertson
Bassett	Fine	Lybrand	Shumate
Beck	Gafford	Lyons	Slate
Berryman (W)	Garrett	Malone	Smith
Blanton	Gloor	Manley	Snell
Bolton	Graham	Marr	Springer
Brannan	Grainger	Mathews	Starnes
Brassell	Grayson	Mays	Steagall
Brown	Hain	McCorquodale	Stembridge
Burgess	Hardin	McElhaney	Stubbs
Burgreen	Harper	Meade	Tuck
Cameron	Harris	Melton	Turnham
Collier	Haygood	Merrill	Waggoner
Collins (C)	Higginbotham	Money	Weeks
Collins (W)	Hill	Nettles	Williams
Cook (Coffee)	Hobbie	Neville	Wood
Dill	House	Owen (Baldwin)	Wright
Dobbs	Jackson (T)	Pearson	Yeilding
Downing	Kilgore	Perloff	Young
Drake			

—81

And the bill:

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hardin	Manley
Agee	Dill	Harper	Marr
Bassett	Dobbs	Harris	Mathews
Beck	Doss	Haygood	Mays
Berryman (W)	Downing	Headley	McCorquodale
Bolton	Drake	Higginbotham	McElhaney
Brannan	Edington	Hill	Meade
Brassell	Ellis	Hobbie	Melton
Brown	Fine	House	Merrill
Burgess	Gafford	Jackson (T)	Money
Burgreen	Garrett	Kilgore	Nettles
Cameron	Gloor	Laxson	Neville
Collier	Graham	Lemley	Owen (Baldwin)
Collins (C)	Grainger	Lybrand	Owens (W)
Collins (W)	Grayson	Lyons	Pearson
Cook (Coffee)	Hain	Malone	Perloff

Pruitt	Snell	Stubbs	Wood
Robertson	Springer	Tuck	Wright
Shumate	Starnes	Turnham	Yeilding
Slate	Steagall	Weeks	Young
Smith	Stembridge	Williams	

—83

And the bill:

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Agee	Edington	Laxson	Pennington
Bassett	Ellis	Lemley	Perloff
Beck	Gafford	Lybrand	Pruitt
Berryman (W)	Garrett	Lyons	Robertson
Bolton	Gloor	Malone	Shumate
Brannan	Graham	Manley	Slate
Brassell	Grainger	Marr	Smith
Brown	Grayson	Mathews	Snell
Burgess	Hain	Mays	Springer
Burgreen	Harper	McCorquodale	Starnes
Cameron	Harris	McElhaney	Steagall
Collier	Haygood	Meade	Stembridge
Collins (W)	Headley	Melton	Tuck
Cook (Coffee)	Higginbotham	Merrill	Turnham
Crawford	Hill	Money	Weeks
Dill	Hobbie	Nettles	Williams
Dobbs	Holladay	Neville	Wood
Doss	House	Owen (Baldwin)	Wright
Downing	Jackson (T)	Owens (W)	Yeilding

—80

And the bill:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Was read a third time at length and passed.

Yeas 86; Nay 1.

Yeas:

Mr. Speaker	Cameron	Fine	Headley
Agee	Collier	Gafford	Higginbotham
Bank	Collins (C)	Garrett	Hill
Bassett	Collins (W)	Gloor	Hobbie
Beck	Cook (Coffee)	Graham	Holladay
Berryman (W)	Crawford	Grainger	House
Bolton	Dill	Grayson	Jackson (T)
Brannan	Dobbs	Hain	Kilgore
Brassell	Downing	Hardin	Laxson
Brown	Drake	Harper	Lemley
Burgess	Edington	Harris	Lybrand
Burgreen	Ellis	Haygood	Lyons

Malone	Money	Shumate	Tuck
Manley	Nettles	Slate	Turnham
Marr	Neville	Smith	Waggoner
Mathews	Owen (Baldwin)	Snell	Weeks
Mays	Owens (W)	Springer	Williams
McCorquodale	Pearson	Starnes	Wood
McElhaney	Pennington	Steagall	Wright
Meade	Perloff	Stembridge	Yeilding
Melton	Pruitt	Stubbs	Young
Merrill	Robertson		—86

Nay: Mr. Doss. —1

And the bill:

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pearson
Agee	Drake	Kilgore	Pennington
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Berryman (W)	Fine	Lybrand	Robertson
Bolton	Gafford	Lyons	Shumate
Brannan	Garrett	Malone	Slate
Brassell	Gloor	Manley	Smith
Brown	Graham	Marr	Snell
Burgess	Grainger	Mathews	Springer
Burgreen	Grayson	Mays	Steagall
Cameron	Hain	McCorquodale	Stubbs
Collier	Hardin	McElhaney	Tuck
Collins (C)	Harper	Meade	Turnham
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Haygood	Merrill	Weeks
Crane	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Wright
Dill	Hill	Neville	Yeilding
Dobbs	Hobbie	Owen (Baldwin)	Young
Doss	House	Owens (W)	—83

And the bill:

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Collier
Agee	Bolton	Burgess	Collins (C)
Bassett	Brannan	Burgreen	Collins (W)
Beck	Brassell	Cameron	Cook (Coffee)

Crane	Hardin	Manley	Sessions
Crawford	Harper	Marr	Shumate
Dill	Harris	Mays	Slate
Dobbs	Haygood	McCorquodale	Smith
Doss	Headley	McElhaney	Snell
Downing	Higginbotham	Meade	Springer
Drake	Hill	Melton	Steagall
Edington	Hobbie	Merrill	Stembridge
Ellis	Holladay	Money	Stubbs
Fine	House	Nettles	Tuck
Gafford	Jackson (T)	Neville	Turnham
Garrett	Kilgore	Owen (Baldwin)	Waggoner
Gloor	Laxson	Owens (W)	Williams
Graham	Lemley	Pearson	Wood
Grainger	Lybrand	Perloff	Wright
Grayson	Lyons	Pruitt	Yeilding
Hain	Malone	Robertson	Young

—84

And the bill:

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Perloff
Agee	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Fine	Lyons	Shumate
Berryman (W)	Gafford	Malone	Slate
Bolton	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McCorquodale	Steagall
Burgess	Hain	McElhaney	Stembridge
Burgreen	Hardin	Meade	Stubbs
Collier	Harper	Melton	Tuck
Collins (C)	Harris	Merrill	Turnham
Collins (W)	Haygood	Money	Waggoner
Cook (Coffee)	Headley	Nettles	Williams
Crane	Higginbotham	Neville	Wood
Crawford	Hobbie	Owen (Baldwin)	Wright
Dill	House	Owens (W)	Yeilding
Dobbs	Jackson (T)	Pearson	Young
Downing	Kilgore		

—78

And the bill:

H. 872. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 3 and 4, Township 15 North, Range 18 East, and Section 33, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Messrs.:	Edington	Laxson	Perloff
Agee	Fine	Lemley	Pruitt
Bank	Gafford	Lybrand	Robertson
Bassett	Garrett	Lyons	Sessions
Beck	Gloor	Malone	Shumate
Berryman (W)	Graham	Manley	Slate
Bolton	Grainger	Marr	Smith
Brannan	Grayson	Mays	Snell
Brassell	Hain	McCorquodale	Springer
Brown	Hardin	McElhaney	Steagall
Burgess	Harper	Meade	Stembridge
Burgreen	Harris	Melton	Stubbs
Collier	Haygood	Merrill	Tuck
Collins (C)	Headley	Money	Turnham
Collins (W)	Higginbotham	Nettles	Waggoner
Crane	Hill	Neville	Williams
Crawford	Hobbie	Owen (Baldwin)	Wood
Dill	Holladay	Owens (W)	Wright
Dobbs	House	Pearson	Yeilding
Downing	Jackson (T)	Pennington	Young
Drake	Kilgore		

—81

And the bill:

H. 392. To amend Act No. 668, H. 918, Regular Session 1967 (Acts, Regular Session 1967, p. 1493), which provides additional compensation for the official court reporter of the third judicial circuit, in order to delete a provision thereof which provides for the expiration of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Owens (W)
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Fine	Lemley	Robertson
Blanton	Gafford	Lybrand	Sessions
Bolton	Garrett	Lyons	Shumate
Brannan	Gloor	Manley	Smith
Brassell	Graham	Marr	Springer
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McElhaney	Stembridge
Collier	Hardin	Meade	Stubbs
Collins (C)	Harper	Melton	Tuck
Collins (W)	Harris	Merrill	Turnham
Cook (Coffee)	Headley	Money	Williams
Crane	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Dill	Hobbie	Owen (Baldwin)	Young
Dobbs			

—77

And the bill:

H. 874. To provide for the appointment of a deputy district attorney for the Twenty-Ninth Judicial Circuit of Alabama, prescribe

his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Perloff
Agee	Doss	Jackson (T)	Pruitt
Bank	Downing	Kilgore	Robertson
Bassett	Drake	Laxson	Sessions
Beck	Edington	Lemley	Shumate
Berryman (W)	Ellis	Lybrand	Slate
Blanton	Fine	Lyons	Smith
Bolton	Gafford	Malone	Snell
Brannan	Garrett	Manley	Starnes
Brassell	Gloor	Marr	Steagall
Brown	Graham	Mays	Stembridge
Burgess	Grainger	McCorquodale	Stubbs
Burgreen	Grayson	McElhaney	Tuck
Collier	Hain	Meade	Turnham
Collins (C)	Hardin	Melton	Waggoner
Collins (W)	Harper	Merrill	Williams
Cook (Coffee)	Harris	Money	Wood
Crane	Higginbotham	Nettles	Wright
Crawford	Hill	Owen (Baldwin)	Yeilding
Culver	Hobbie	Pearson	Young
Dill			

—81

And the bill:

H. 901. To validate public hospital associations for public hospital purposes attempted to be organized under Act No. 211 adopted at the 1945 Regular Session of the Legislation of Alabama, as originally adopted or amended, where the governing body of a county, a city, or both, has or have authorized the incorporation of such association but where the attempted incorporation is invalid or irregular because of some irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Graham	Lyons
Adwell	Cook (Coffee)	Grainger	Malone
Agee	Cook (Jefferson)	Grayson	Manley
Bank	Crane	Hain	Marr
Bassett	Crawford	Hardin	Mays
Beck	Culver	Harper	McCorquodale
Berryman (W)	Dill	Harris	McElhaney
Blanton	Dobbs	Higginbotham	Meade
Bowers	Doss	Hill	Melton
Brannan	Downing	Hobbie	Merrill
Brassell	Drake	House	Money
Brown	Edington	Jackson (T)	Nettles
Burgess	Ellis	Kilgore	Owen (Baldwin)
Burgreen	Fine	Laxson	Pearson
Collier	Gafford	Lemley	Perloff
Collins (C)	Garrett	Lybrand	Robertson

Sessions	Springer	Tuck	Wood
Shumate	Starnes	Turnham	Wright
Slate	Steagall	Waggoner	Yeilding
Smith	Stembridge	Williams	Young
Snell	Stubbs		

—82

And the bill:

H. 903. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the county engineer payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pennington
Agee	Doss	Laxson	Perloff
Bank	Downing	Lemley	Pruitt
Bassett	Drake	Lybrand	Robertson
Beck	Edington	Lyons	Sessions
Berryman (W)	Ellis	Malone	Shumate
Blanton	Fine	Manley	Slate
Brannan	Garrett	Marr	Smith
Brassell	Gloor	Mathews	Snell
Brown	Graham	Mays	Springer
Burgess	Grainger	McCorquodale	Starnes
Burgreen	Grayson	McElhaney	Steagall
Collier	Hain	Meade	Stembridge
Collins (C)	Hardin	Melton	Stubbs
Collins (W)	Harper	Merrill	Tuck
Cook (Coffee)	Harris	Money	Turnham
Cook (Jefferson)	Headley	Nettles	Waggoner
Crane	Higginbotham	Neville	Williams
Crawford	Hobbie	Owen (Baldwin)	Wood
Culver	House	Owens (W)	Wright
Dill	Jackson (T)	Pearson	Yeilding

—84

And the bill:

H. 904. Relating to counties having a population of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crane	Edington
Agee	Brown	Crawford	Ellis
Bassett	Burgess	Dill	Fine
Beck	Collier	Dobbs	Garrett
Berryman (W)	Collins (C)	Doss	Gloor
Blanton	Collins (W)	Downing	Graham
Brannan	Cook (Coffee)	Drake	Grainger

Grayson	Lyons	Neville	Springer
Hain	Malone	Owen (Baldwin)	Starnes
Hardin	Manley	Owens (W)	Steagall
Harper	Marr	Pearson	Stembridge
Harris	Mathews	Pennington	Stubbs
Headley	Mays	Perloff	Tuck
Higginbotham	McCorquodale	Pruitt	Turnham
Hill	McElhaney	Robertson	Waggoner
Hobbie	Meade	Sessions	Williams
House	Melton	Shumate	Wood
Jackson (T)	Merrill	Slate	Wright
Laxson	Money	Smith	Yeilding
Lemley	Nettles	Snell	Young
Lybrand			

—81

And the bill:

H. 905. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; to provide for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff
Agee	Drake	Laxson	Pruitt
Bank	Edington	Lemley	Robertson
Bassett	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Gafford	Malone	Slate
Brannan	Garrett	Manley	Smith
Brassell	Gloor	Marr	Snell
Brown	Graham	Mays	Springer
Burgess	Grainger	McElhaney	Starnes
Burgreen	Grayson	Meade	Steagall
Collier	Hain	Melton	Stembridge
Collins (C)	Hardin	Merrill	Stubbs
Collins (W)	Harper	Money	Tuck
Cook (Coffee)	Harris	Nettles	Turnham
Crane	Headley	Neville	Waggoner
Crawford	Higginbotham	Owen (Baldwin)	Williams
Culver	Hill	Owens (W)	Wood
Dill	Hobbie	Pearson	Wright
Dobbs	House	Pennington	Young
Doss	Jackson (T)		

—82

And the bill:

H. 906. To amend the title and Section 2 of Act No. 65, H. 738, Regular Session 1969, approved June 27, 1969, an Act providing for a travel allowance for the chairman and members of the board of revenue in counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census, so as to increase the travel allowance of the chairman.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Perloff
Agee	Drake	Jackson (T)	Pruitt
Bank	Edington	Laxson	Robertson
Bassett	Fine	Lemley	Sessions
Beck	Gafford	Lybrand	Shumate
Berryman (W)	Garrett	Lyons	Smith
Blanton	Gloor	Malone	Snell
Brannan	Graham	Manley	Springer
Brassell	Grainger	Marr	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McElhaney	Stembridge
Collier	Hardin	Melton	Stubbs
Collins (C)	Harper	Merrill	Tuck
Collins (W)	Harris	Money	Turnham
Cook (Coffee)	Headley	Nettles	Waggoner
Crawford	Higginbotham	Owen (Baldwin)	Williams
Culver	Hill	Owens (W)	Wood
Dobbs	Hobbie	Pearson	Wright
Doss	Holladay	Pennington	Young

—76

And the bill:

H. 918. To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff
Agee	Drake	Laxson	Pruitt
Bank	Edington	Lemley	Robertson
Bassett	Ellis	Lybrand	Sessions
Beck	Fine	Lyons	Shumate
Berryman (W)	Gafford	Malone	Slate
Blanton	Graham	Manley	Snell
Brannan	Grainger	Marr	Springer
Brassell	Grayson	Mathews	Starnes
Brown	Hain	Mays	Steagall
Burgess	Hardin	McElhaney	Stembridge
Burgreen	Harper	Meade	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wood
Cook (Jefferson)	Hill	Owen (Baldwin)	Wright
Crawford	Hobbie	Owens (W)	Yeilding
Dobbs	Holladay	Pearson	Young
Doss	House	Pennington	

—79

And the bill:

H. 931 (with amendment). To create the Inferior Court of Pike County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Pike County, the County Court of Pike County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend H. B. 931 by striking the period at the end of Section 8 and adding the words "shall be taxed or collected."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bank	Drake	Lemley	Pruitt
Bassett	Edington	**Lybrand**	Sessions
Beck	Ellis	Lyons	Shumate
Berryman (W)	Fine	Malone	Slate
Blanton	Gafford	**Manley**	Snell
Brannan	**Graham**	Marr	**Springer**
Brassell	Grainger	Mathews	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McElhaney	Stembridge
Burgreen	Hardin	Melton	Stubbs
Collier	Harper	Merrill	**Tuck**
Collins (C)	Harris	Money	**Turnham**
Collins (W)	Headley	Nettles	**Waggoner**
Cook (Coffee)	Higginbotham	Neville	Williams
Cook (Jefferson)	Hill	Owen (Baldwin)	Wright
Crawford	Hobbie	Owens (W)	Yeilding
Culver	House	Pearson	Young
Dill	Jackson (T)		—78

Mr. Bassett offered the following amendment to the bill, H. 931, as thus amended:

Amend H. B. 931 as follows:

Delete therefrom the second Section 6.

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hardin	Marr
Agee	Crawford	Harper	Mathews
Bank	Culver	Harris	Mays
Bassett	Dill	Haygood	McElhaney
Beck	Dobbs	Headley	Meade
Berryman (W)	Doss	Higginbotham	Melton
Blanton	Downing	Hill	Merrill
Brannan	Drake	Hobbie	Money
Brassell	Edington	House	Nettles
Brown	Fine	Jackson (T)	Neville
Burgess	Gafford	Laxson	Owen (Baldwin)
Burgreen	**Garrett**	Lemley	Owens (W)
Collier	**Graham**	Lybrand	Pearson
Collins (C)	Grainger	Lyons	Pennington
Collins (W)	Grayson	Malone	Perloff
Cook (Coffee)	Hain	Manley	Pruitt

Sessions	Springer	Stubbs	Wood
Shumate	Starnes	Tuck	Yeilding
Slate	Steagall	Turnham	Young
Snell	Stembridge	Williams	—79

And the bill, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Pennington
Agee	Doss	Jackson (T)	Perloff
Bank	Downing	Laxson	Pruitt
Bassett	Drake	Lemley	Sessions
Beck	Edington	Lybrand	Shumate
Berryman (W)	Ellis	Lyons	Slate
Blanton	**Fine**	Malone	Snell
Brannan	**Garrett**	Manley	Springer
Brassell	**Graham**	Marr	Starnes
Brown	Grainger	Mays	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	Meade	Stubbs
Collier	Hardin	Melton	Tuck
Collins (C)	Harper	Merrill	Turnham
Collins (W)	Harris	Money	Waggoner
Cook (Coffee)	Haygood	Nettles	Williams
Cook (Jefferson)	Headley	Neville	Wood
Crawford	Higginbotham	Owen (Baldwin)	Wright
Culver	Hill	Owens (W)	Yeilding
Dill	Hobbie	Pearson	Young

—80

And the bill:

H. 934. To alter, rearrange and extend the boundary lines and corporate limits of the town of Livingston in Sumter County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff
Agee	Drake	Laxson	Pruitt
Bank	Edington	Lemley	Robertson
Bassett	Ellis	Lybrand	Sessions
Beck	Fine	Lyons	Shumate
Berryman (W)	Gafford	Malone	Slate
Blanton	**Garrett**	Manley	Smith
Brannan	**Graham**	Marr	Snell
Brassell	Grainger	Mathews	Springer
Brown	Grayson	Mays	Starnes
Burgess	Hain	McElhaney	Steagall
Burgreen	Hardin	Meade	Stembridge
Collier	Harper	Melton	Stubbs
Collins (C)	Harris	Merrill	Tuck
Collins (W)	Haygood	Money	Turnham
Cook (Coffee)	Headley	Nettles	Waggoner
Cook (Jefferson)	Higginbotham	Neville	Williams
Crawford	Hill	Owen (Baldwin)	Wood
Culver	Hobbie	Owens (W)	Wright
Dill	Holladay	Pearson	Yeilding
Dobbs	House	Pennington	Young
Doss	Jackson (T)		—86

And the bill:

H. 935. To provide for the compensation of jurors in Jackson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	Holladay	Owens (W)
Adwell	Downing	House	Pearson
Agee	Drake	Jackson (T)	Pennington
Bank	Edington	Kilgore	Perloff
Bassett	Ellis	Laxson	Robertson
Beck	Fine	Lemley	Sessions
Berryman (W)	Gafford	Lybrand	Shumate
Blanton	Garrett	Lyons	Smith
Brannan	Graham	Malone	Snell
Brassell	Grainger	Manley	Springer
Brown	Grayson	Marr	Starnes
Burgess	Hain	Mays	Steagall
Burgreen	Hardin	McElhaney	Stembridge
Collier	Harper	Meade	Stubbs
Collins (C)	Harris	Melton	Turnham
Collins (W)	Haygood	Merrill	Williams
Cook (Jefferson)	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Wright
Culver	Hill	Neville	Yeilding
Dill	Hobbie	Owen (Baldwin)	Young
Dobbs			—81

And the bill:

H. 936. To amend Act No. 69, H. 74, Second Special Session 1959 (Acts 1959, p. 238) which establishes the Jackson County Court, in order to regulate further the salary and allowances of the judge of such court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Perloff
Agee	Drake	Kilgore	Pruitt
Bank	Edington	Laxson	Robertson
Bassett	Ellis	Lemley	Sessions
Beck	Fine	Lybrand	Shumate
Berryman (W)	Gafford	Lyons	Slate
Blanton	Garrett	Malone	Snell
Brannan	Graham	Marr	Springer
Brassell	Grainger	Mays	Starnes
Brown	Grayson	McElhaney	Steagall
Burgess	Hain	Meade	Stembridge
Burgreen	Hardin	Melton	Stubbs
Collier	Harper	Money	Tuck
Collins (C)	Harris	Nettles	Turnham
Collins (W)	Haygood	Neville	Waggoner
Cook (Coffee)	Headley	Owen (Baldwin)	Williams
Crawford	Higginbotham	Owens (W)	Wood
Culver	Hobbie	Pearson	Yeilding
Dill	Holladay	Pennington	Young
Dobbs	House		—78

And the bill:

H. 937. To apply to counties having a population of not less than 36,600 and not more than 37,600 according to the last federal decennial census and authorizing the Deputy District Attorney or County Solicitor for said counties a full time secretary and to fix the salary therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Lemley	Perloff
Agee	Drake	Lybrand	Pruitt
Bank	Edington	Lyons	Robertson
Bassett	Ellis	Malone	Sessions
Beck	Fine	Manley	Shumate
Berryman (W)	Gafford	Marr	Snell
Blanton	Garrett	Mathews	Springer
Brannan	Graham	Mays	Starnes
Brassell	Grainger	McElhaney	Steagall
Brown	Hain	Meade	Stembridge
Burgess	Hardin	Melton	Stubbs
Burgreen	Harper	Merrill	Tuck
Collier	Harris	Money	Turnham
Collins (C)	Headley	Nettles	Waggoner
Collins (W)	Higginbotham	Neville	Williams
Cook (Jefferson)	Hill	Owen (Baldwin)	Wood
Crane	Hobbie	Owens (W)	Wright
Crawford	Jackson (T)	Pearson	Yeilding
Culver	Kilgore	Pennington	Young
Dill	Laxson		—78

And the bill:

H. 938. To provide an additional expense allowance for the members of the county board of education of any county having a population of not less than 36,600 nor more than 37,600 inhabitants according to the 1960 or any subsequent federal census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Grayson	Marr
Agee	Cook (Jefferson)	Hain	Mathews
Bank	Crane	Hardin	Mays
Bassett	Crawford	Harper	McElhaney
Beck	Dill	Higginbotham	Meade
Berryman (W)	Dobbs	Hill	Melton
Blanton	Doss	Hobbie	Merrill
Bolton	Downing	House	Money
Brannan	Drake	Jackson (T)	Nettles
Brassell	Edington	Kilgore	Neville
Brown	Ellis	Laxson	Owen (Baldwin)
Burgess	Fine	Lemley	Pearson
Burgreen	Gafford	Lybrand	Pennington
Collier	Garrett	Lyons	Perloff
Collins (C)	Graham	Malone	Pruitt
Collins (W)	Grainger	Manley	Robertson

Sessions	Starnes	Tuck	Wright
Shumate	Steagall	Turnham	Yeilding
Slate	Stembridge	Williams	Young
Snell	Stubbs	Wood	

—79

And the bill:

H. 939. To apply only in Counties having populations of not less than 15,000 nor more than 15,300; fixing the fee for issuance of a pistol permit by the Sheriff; and providing for the distribution and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Agee	Edington	Laxson	Pennington
Bank	Fine	Lemley	Perloff
Bassett	Gafford	Lybrand	Pruitt
Beck	Garrett	Lyons	Robertson
Berryman (W)	Graham	Malone	Sessions
Blanton	Grainger	Manley	Slate
Brannan	Grayson	Marr	Snell
Brassell	Hain	Mathews	Starnes
Brown	Hardin	Mays	Steagall
Burgess	Harper	McElhaney	Stembridge
Burgreen	Harris	Meade	Stubbs
Collins (W)	Haygood	Melton	Tuck
Cook (Coffee)	Headley	Merrill	Turnham
Crawford	Higginbotham	Money	Williams
Culver	Hill	Nettles	Wood
Dill	Hobbie	Neville	Wright
Dobbs	House	Owen (Baldwin)	Yeilding
Doss	Jackson (T)	Owens (W)	Young
Downing			

—77

And the bill:

H. 940. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Oneonta in Blount County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Drake	Haygood
Agee	Collier	Edington	Headley
Bank	Collins (C)	Fine	Higginbotham
Bassett	Collins (W)	Garrett	Hill
Beck	Cook (Coffee)	Graham	Hobbie
Berryman (W)	Cook (Jefferson)	Grainger	House
Blanton	Crawford	Grayson	Kilgore
Brannan	Dill	Hain	Laxson
Brassell	Dobbs	Hardin	Lemley
Brown	Doss	Harper	Lybrand
Burgess	Downing	Harris	Lyons

Malone	Money	Pruitt	Stubbs
Manley	Nettles	Robertson	Tuck
Marr	Neville	Sessions	Turnham
Mathews	Owen (Baldwin)	Slate	Waggoner
Mays	Owens (W)	Snell	Williams
McElhaney	Pearson	Starnes	Wood
Meade	Pennington	Steagall	Wright
Melton	Perloff	Stembridge	Young
Merrill			—77

And the bill:

H. 945. To alter, rearrange and extend the boundaries and corporate limits of the City of Oxford, Calhoun County, Alabama, so as to annex certain territory to the City.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Doss	Jackson (T)	Pearson
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Fine	Lybrand	Slate
Berryman (W)	Gafford	Lyons	Snell
Blanton	Garrett	Malone	Springer
Brannan	Graham	Manley	Starnes
Brassell	Grainger	Marr	Steagall
Brown	Grayson	Mathews	Stembridge
Burgess	Hain	Mays	Stubbs
Burgreen	Hardin	McElhaney	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Melton	Waggoner
Collins (W)	Headley	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hill	Nettles	Wright
Crane	Hobbie	Neville	Yeilding
Crawford	Holladay	Owen (Baldwin)	Young
Dill			—81

And the bill:

H. 946 (with amendment). To provide for the government and control by civil service regulations of certain employees of the sheriff's department of Calhoun County, Alabama, and to provide for a civil service board in said county and to fix its duties, authority, powers, and method of compensation.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend Section 4 to read as follows:

Section 4. Civil Service Board. There is created the Civil Service Board of Calhoun County, which shall be composed of three members designated respectively as Member No. 1, Member No. 2, and Member

No. 3, each of whom shall be over twenty-five years of age, of recognized character and ability, and an actual resident in and a qualified elector of said county. No person shall be eligible to be or continue a member of the board who holds a civil office of profit under the State, county, or any city. Immediately after the passage and approval of this Act or its otherwise becoming law, the Governor shall appoint three persons to serve as members of the first civil service board of Calhoun County, and when making such appointments he shall designate the number of the membership on such board to which each member is appointed. Such appointments shall be upon nomination in writing by members of the Calhoun County legislative delegation, as follows: each member of the delegation may submit not more than three nominations for each place to be filled and the appointment or appointments, shall be made from among those persons thus nominated; if the same person is nominated by all members of the delegation, the person thus nominated shall be nominated; if the legislative delegation is divided, the nominee favored by the majority shall be appointed. If no person receives a majority nomination, each member of the legislative delegation may forthwith submit in writing an additional nominee until some person receives a majority nomination and such person shall be forthwith appointed. The members so appointed shall take office on the date this Act becomes effective, pursuant to Section 26 hereof and shall hold office for the following terms: Member No. 1 from such effective date of this Act until May 15, 1971, and until his successor is appointed and has qualified; Member No. 2 from such effective date of this Act until May 15, 1973, and until his successor is appointed and has qualified; and Member No. 3 from such effective date of the Act until May 15, 1975, and until his successor is appointed and has qualified. Their successors shall be appointed by the Governor of Alabama, in the same manner as original appointments; and shall respectively hold office for terms of six years, beginning on the fifteenth of May of the appropriate odd-numbered year, and until their successors shall be appointed and qualified. Vacancies occurring from death or resignation shall be filled by the Governor in the same manner as original appointments. A vacancy on the board shall be filled by appointment for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. The board shall meet in the Court House during January, April, July and October on a day and at an hour to be fixed by its rules and regulations, and as much more often as shall be necessary for the orderly dispatch of its business. Two members of said board shall constitute a quorum. Any member of the board desiring to become a candidate for public office shall first resign as a member of said board and in the event said member fails to resign and becomes a candidate for public office, then the office of said member on said board shall become immediately vacant and it shall be the duty of the probate judge of Calhoun County to notify the Governor of such vacancy.

Amend Section 11 by deleting the word "ten" on line 5 of said section and inserting in lieu thereof the word "thirty".

Amend Section 22 to read as follows:

Section 22. Application To Present Employees. Every deputy or other employee of the sheriff's department of Calhoun County, subject to the provisions of this Act, who is such at the time this Act goes into effect shall each remain in his or her respective employment and shall not be subject to a probationary period and shall not be required to stand an examination before the civil service board in order to retain such present position; and such employees, except for appointment, shall be subject fully to the provisions of this Act.

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dill	Holladay	Owen (Baldwin)
Adwell	Dobbs	House	Owens (W)
Agee	Doss	Jackson (T)	Pearson
Bank	Downing	Kilgore	Perloff
Bassett	Drake	Laxson	Pruitt
Beck	Edington	Lemley	Robertson
Berryman (W)	Ellis	Lybrand	Slate
Blanton	Fine	Lyons	Snell
Bolton	Gafford	Malone	Starnes
Brannan	Gloor	Manley	Steagall
Brassell	Graham	Marr	Stembridge
Brown	Grainger	Mathews	Stubbs
Burgess	Grayson	Mays	Tuck
Burgreen	Hain	McElhaney	Turnham
Collier	Hardin	Meade	Waggoner
Collins (C)	Harper	Meeks	Williams
Collins (W)	Harris	Melton	Wood
Cook (Coffee)	Headley	Merrill	Wright
Cook (Jefferson)	Higginbotham	Money	Yeilding
Crane	Hill	Nettles	Young
Crawford	Hobbie	Neville	—83

And the bill, H. 946, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Adwell	Doss	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bank	Drake	Lemley	Pruitt
Bassett	Edington	Lybrand	Robertson
Beck	Ellis	Lyons	Slate
Berryman (W)	Fine	Manley	Snell
Blanton	Gafford	Marr	Springer
Bolton	Gloor	Mathews	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grainger	McElhaney	Stembridge
Burgess	Grayson	Meade	Stubbs
Burgreen	Hain	Meeks	Tuck
Collier	Hardin	Melton	Turnham
Collins (C)	Harper	Merrill	Waggoner
Collins (W)	Harris	Money	Williams
Cook (Coffee)	Headley	Nettles	Wood
Cook (Jefferson)	Higginbotham	Neville	Wright
Crane	Hill	Owen (Baldwin)	Yeilding
Crawford	Hobbie	Owens (W)	Young
Dill	Holladay		—82

And the bill:

S. 1 (with amendment). To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 1, second paragraph, third sentence thereof insert immediately before the words, "twelve thousand dollars," the following words: a maximum of

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Adwell	Doss	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bank	Drake	Lemley	Pruitt
Bassett	Edington	Lybrand	Robertson
Beck	Ellis	Lyons	Slate
Berryman (W)	Fine	Manley	Snell
Blanton	Garrett	Marr	Springer
Bolton	Gloor	Mathews	Starnes
Brannan	Graham	Mays	Steagall
Brassell	Grainger	McElhaney	Stembridge
Brown	Grayson	Meade	Stubbs
Burgess	Hain	Meeks	Tuck
Burgreen	Hardin	Melton	Turnham
Collier	Harper	Merrill	Waggoner
Collins (C)	Harris	Money	Williams
Collins (W)	Headley	Nettles	Wood
Cook (Coffee)	Higginbotham	Neville	Wright
Cook (Jefferson)	Hill	Owen (Baldwin)	Yeilding
Crane	Hobbie	Owens (W)	Young
Crawford	House		

—82

And the bill, S. 1, as thus amended, was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Pennington
Agee	Doss	Jackson (T)	Perloff
Bank	Downing	Kilgore	Pruitt
Bassett	Drake	Laxson	Robertson
Beck	Edington	Lemley	Slate
Berryman (W)	Ellis	Lyons	Snell
Blanton	Fine	Malone	Springer
Bolton	Gafford	Manley	Starnes
Brannan	Gloor	Marr	Steagall
Brassell	Graham	Mathews	Stembridge
Burgess	Grainger	Mays	Stubbs
Burgreen	Grayson	McElhaney	Tuck
Collier	Hain	Meeks	Turnham
Collins (C)	Hardin	Melton	Waggoner
Collins (W)	Harper	Money	Williams
Cook (Coffee)	Harris	Nettles	Wood
Crane	Headley	Owen (Baldwin)	Wright
Crawford	Higginbotham	Owens (W)	Yeilding
Dill	Hobbie	Pearson	Young

—76

And the bill:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofor allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)	
Adwell	Doss	Kilgore	Pearson	
Agee	Downing	Laxson	Pennington	
Bank	Drake	Lemley	Perloff	
Bassett	Edington	Lybrand	Pruitt	
Beck	Ellis	Lyons	Slate	
Berryman (W)	Fine	Malone	Snell	
Blanton	Gafford	Manley	Starnes	
Bolton	Graham	Marr	Steagall	
Brannan	Grainger	Mathews	Stembridge	
Brassell	Grayson	Mays	Stubbs	
Brown	Hain	McElhaney	Tuck	
Burgess	Hardin	Meade	Turnham	
Burgreen	Harper	Meeks	Waggoner	
Collins (C)	Harris	Melton	Williams	
Collins (W)	Headley	Merrill	Wood	
Cook (Coffee)	Higginbotham	Money	Wright	
Crane	Hill	Nettles	Yeilding	
Crawford	Hobbie	Neville	Young	
Dill	House	Owen (Baldwin)		—79

And the bill:

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dill	Gloor
Adwell	Brown	Dobbs	Graham
Agee	Burgess	Doss	Grainger
Bassett	Burgreen	Downing	Grayson
Beck	Collier	Drake	Hain
Berryman (W)	Collins (W)	Edington	Hardin
Blanton	Cook (Coffee)	Ellis	Harper
Bolton	Cook (Jefferson)	Fine	Harris
Brannan	Crawford	Gafford	Headley

Higginbotham	Manley	Owens (W)	Steagall
Hill	Marr	Pearson	Stembridge
Hobbie	Mays	Pennington	Stubbs
House	Meade	Perloff	Tuck
Jackson (T)	Meeks	Pruitt	Waggoner
Kilgore	Melton	Robertson	Williams
Laxson	Merrill	Sessions	Wood
Lemley	Money	Snell	Wright
Lybrand	Nettles	Springer	Yeilding
Lyons	Neville	Starnes	Young
Malone	Owen (Baldwin)		—78

And the bill:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Pennington
Adwell	Doss	Jackson (T)	Perloff
Agee	Downing	Kilgore	Pruitt
Bank	Drake	Laxson	Robertson
Bassett	Edington	Lemley	Slate
Beck	Ellis	Lybrand	Snell
Berryman (W)	Fine	Lyons	Springer
Blanton	Gafford	Malone	Starnes
Bolton	Garrett	Manley	Steagall
Brannan	Gloor	Marr	Stembridge
Brassell	Graham	Mays	Stubbs
Brown	Grainger	McElhaney	Tuck
Burgess	Grayson	Meade	Turnham
Burgreen	Hardin	Meeks	Waggoner
Collier	Harper	Melton	Weeks
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Haygood	Money	Wood
Cook (Jefferson)	Headley	Nettles	Wright
Crane	Higginbotham	Owen (Baldwin)	Yeilding
Crawford	Hill	Owens (W)	Young
Dill	Hobbie	Pearson	—83

And the bill:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pearson
Agee	Downing	Kilgore	Pennington
Bassett	Drake	Laxson	Perloff
Beck	Edington	Lemley	Robertson
Berryman (W)	Ellis	Lybrand	Sessions
Blanton	Gafford	Lyons	Snell
Bolton	Garrett	Malone	Springer
Brannan	Gloor	Manley	Starnes
Brassell	Graham	Marr	Steagall
Brown	Grainger	Mays	Stembridge
Burgess	Grayson	McElhaney	Stubbs
Burgreen	Hardin	Meade	Tuck
Cameron	Harper	Meeks	Turnham
Collier	Harris	Melton	Williams
Collins (W)	Haygood	Merrill	Wood
Cook (Coffee)	Headley	Money	Wright
Crane	Higginbotham	Nettles	Yeilding
Crawford	Hobbie	Owen (Baldwin)	Young
Dill	House	Owens (W)	

—75

And the bill:

H. 941. For the relief of Bertha Mae Rhodes, individually and as Guardian for Douglas Clell Rhodes and Cathy Ann Rhodes, the widow and minor children of Clell Rhodes, an employee of Jefferson County, who died on September 22, 1965, as the proximate result of injuries sustained while engaged within the scope of his duties as an employee of Jefferson County, and to provide for the payment of Three Thousand Dollars ($3,000.00) for such relief out of such moneys and funds as may be constitutionally available.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	Hill	Owen (Baldwin)
Adwell	Dobbs	Hobbie	Owens (W)
Agee	Doss	House	Pearson
Bank	Downing	Jackson (T)	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Laxson	Pruitt
Berryman (W)	Ellis	Lybrand	Robertson
Bolton	Fine	Lyons	Sessions
Bowers	Gafford	Manley	Snell
Brannan	Garrett	Marr	Springer
Brassell	Gloor	Mathews	Starnes
Burgess	Graham	Mays	Steagall
Burgreen	Grainger	McElhaney	Stembridge
Cameron	Grayson	Meade	Tuck
Collier	Hardin	Meeks	Turnham
Collins (C)	Harper	Melton	Waggoner
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Haygood	Money	Wood
Cook (Jefferson)	Headley	Nettles	Wright
Crane	Higginbotham	Neville	Yeilding
Crawford			

—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 45. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That when the two Houses adjourn today they adjourn to meet again on Wednesday, July 16, 1969 and that when they adjourn on Wednesday, July 16, 1969, they adjourn to meet again on Tuesday, July 22, 1969.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 45 set out in the above and foregoing Message from the Senate.

RESOLUTION

The following resolution was introduced:

By Mr. Drake:

H. J. R. 83. WHEREAS the National Bass Tournament was held at the magnificent 54,000 acre Lake Eufaula on July 10, 11 and 12; and

WHEREAS this outstanding sporting event is organized by the Bass Anglers Sportsman Society, Ray Scott, President; and

WHEREAS the mayor, other city officials and chamber of commerce of Eufaula were instrumental in sponsoring and promoting the National Bass Tournament; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, That this body takes great delight in noting the resounding success of this tournament; and hails the performance of the Bass Anglers Sportsman Society and, in particular, the outstanding contribution of its president, Ray Scott of Montgomery, in organizing and promoting the Society; and

RESOLVED FURTHER that the members of this body applaud the efforts of the mayor, other city officials and the members of the chamber of commerce of Eufaula in conducting this tournament.

RESOLVED ALSO, that copies of this resolution shall be sent to the President of the Bass Anglers Sportsman Society, Ray Scott, to its Secretary, and to the mayor of Eufaula.

On motion of Mr. Drake, the rules were suspended and H. J. R. 83 was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place

in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act, to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hobbie	Owen (Baldwin)
Adwell	Dill	House	Pearson
Agee	Dobbs	Laxson	Perloff
Bank	Doss	Lemley	Pruitt
Bassett	Downing	Lybrand	Sessions
Beck	Drake	Lyons	Slate
Blanton	Edington	Malone	Snell
Brannan	Ellis	Manley	Springer
Brassell	Fine	Marr	Starnes
Brown	Garrett	Mathews	Stembridge
Burgess	Graham	Mays	Tuck
Burgreen	Grainger	McElhaney	Turnham
Cameron	Grayson	Meade	Waggoner
Collier	Hain	Meeks	Williams
Collins (W)	Hardin	Melton	Wood
Cook (Coffee)	Harper	Merrill	Wright
Cook (Jefferson)	Harris	Money	Yeilding
Crane	Higginbotham	Nettles	—71

And the bill:

H. 916. To amend Section 8 of Act No. 432, H. 937 approved August 7, 1961 to regulate the Office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census; to authorize the Sheriff to

appoint an attorney to advise or represent him; to fix the compensation of said attorney to be paid out of the general fund of the County by the Board of Revenue or like governing body; and providing when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Crane	Haygood	Money
Adwell	Crawford	Higginbotham	Nettles
Agee	Dill	Hobbie	Owen (Baldwin)
Bank	Dobbs	House	Pearson
Bassett	Downing	Jackson (T)	Perloff
Beck	Drake	Kilgore	Pruitt
Berryman (W)	Edington	Lemley	Robertson
Blanton	Ellis	Lyons	Slate
Brannan	Fine	Malone	Snell
Brassell	Gafford	Manley	Starnes
Brown	Garrett	Marr	Steagall
Burgess	Gloor	Mathews	Stembridge
Burgreen	Graham	Mays	Tuck
Cameron	Grainger	McElhaney	Turnham
Collier	Hain	Meade	Williams
Collins (C)	Hardin	Meeks	Wood
Collins (W)	Harper	Melton	Wright
Cook (Coffee)	Harris	Merrill	Yeilding
Cook (Jefferson)			

—73

And the bill:

H. 900 (with amendment). To amend Act No. 252, S. 198, Special Session 1961, an Act creating the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000, in order to furnish the license commissioner an automobile and gasoline to be used only as necessary in the performance of the official duties of his office.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend Section 3 of House Bill 900 by deleting the words, "The license commissioner shall receive a salary of $7,200 per annum", and inserting in lieu thereof the following: "The license commissioner shall receive a salary of $10,000 per annum".

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collier	Dobbs
Adwell	Bowers	Collins (C)	Doss
Agee	Brannan	Collins (W)	Downing
Bank	Brassell	Cook (Coffee)	Edington
Bassett	Brown	Crane	Ellis
Beck	Burgreen	Crawford	Fine
Berryman (W)	Cameron	Dill	Gafford

Graham	Laxson	Meeks	Snell
Grainger	Lemley	Melton	Springer
Grayson	Lybrand	Merrill	Starnes
Hain	Lyons	Money	Steagall
Hardin	Malone	Nettles	Stembridge
Harper	Manley	Owen (Baldwin)	Tuck
Harris	Marr	Pearson	Turnham
Higginbotham	Mathews	Pennington	Waggoner
Hobbie	Mays	Pruitt	Williams
Jackson (T)	McElhaney	Robertson	Wright
Kilgore	Meade	Slate	Yeilding

—72

And the bill, H. 900, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Dobbs	Kilgore	Pennington
Agee	Doss	Laxson	Perloff
Bank	Downing	Lemley	Pruitt
Bassett	Edington	Lybrand	Robertson
Beck	Ellis	Lyons	Sessions
Berryman (W)	Fine	Malone	Slate
Blanton	Gafford	Manley	Snell
Brannan	Garrett	Mathews	Starnes
Brown	Graham	Mays	Steagall
Burgreen	Grainger	McCorquodale	Stembridge
Cameron	Grayson	McElhaney	Tuck
Collier	Hain	Meade	Turnham
Collins (C)	Hardin	Meeks	Waggoner
Collins (W)	Harper	Melton	Weeks
Cook (Coffee)	Harris	Merrill	Williams
Crane	Haygood	Money	Wood
Crawford	Higginbotham	Nettles	Wright
Culver	Hobbie	Owen (Baldwin)	Yeilding

—76

And the bill:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crawford	Grainger
Adwell	Brown	Culver	Grayson
Agee	Burgess	Dill	Hain
Bank	Burgreen	Dobbs	Hardin
Bassett	Cameron	Doss	Harper
Beck	Collier	Downing	Harris
Berryman (W)	Collins (C)	Edington	Haygood
Blanton	Collins (W)	Fine	Headley
Bowers	Cook (Coffee)	Gloor	Higginbotham
Brannan	Crane	Graham	Hill

Hobbie	Mays	Pennington	Stembridge
Holladay	McCorquodale	Perloff	Stubbs
House	McElhaney	Pruitt	Tuck
Jackson (T)	McLain	Robertson	Turnham
Kilgore	Meade	Sessions	Waggoner
Laxson	Melton	Shumate	Weeks
Lybrand	Merrill	Slate	Williams
Lyons	Money	Smith	Wood
Malone	Nettles	Snell	Wright
Manley	Owen (Baldwin)	Springer	Yeilding
Marr	Owens (W)	Starnes	Young
Mathews	Pearson	Steagall	

—87

UNANIMOUS CONSENT GRANTED

At the request of Mr. Sessions, unanimous consent was granted for the Journal to show that had he been in the House chambers he would have voted Yea on the bill, H. 822.

BILLS ON THIRD READING RESUMED

And the bill:

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Perloff
Adwell	Doss	Lemley	Pruitt
Agee	Downing	Lybrand	Robertson
Bank	Edington	Lyons	Sessions
Bassett	Ellis	Malone	Shumate
Beck	Fine	Marr	Smith
Berryman (W)	Garrett	Mathews	Snell
Blanton	Gloor	Mays	Springer
Bowers	Graham	McCorquodale	Starnes
Brannan	Grainger	McElhaney	Steagall
Brassell	Grayson	McLain	Stembridge
Brown	Hain	Meade	Stubbs
Burgess	Hardin	Meeks	Tuck
Burgreen	Harper	Melton	Turnham
Cameron	Harris	Merrill	Waggoner
Collier	Headley	Money	Weeks
Collins (C)	Hill	Nettles	Williams
Collins (W)	Hobbie	Owen (Baldwin)	Wood
Cook (Coffee)	Holladay	Owens (W)	Wright
Crane	House	Pearson	Yeilding
Culver	Jackson (T)	Pennington	Young
Dill	Kilgore		

—86

MOTION TO INDEFINITELY POSTPONE H. 709 AND H. 716

On motion of Mr. House, the bills, H. 709 and H. 716, were indefinitely postponed.

BILLS ON THIRD READING RESUMED

And the bill:

H. 891. To amend Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama (relating to the excise tax on motor fuel as defined in the said act), as amended, so as to make further provision for the disposition of the proceeds of the tax levied thereby.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Doss	Holladay	Pearson
Adwell	Downing	House	Pennington
Agee	Drake	Laxson	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Sessions
Beck	Fine	Lyons	Shumate
Berryman (W)	Gafford	Malone	Slate
Blanton	Garrett	Manley	Smith
Bolton	Gloor	Marr	Snell
Brannan	Graham	Mathews	Starnes
Brassell	Grainger	Mays	Steagall
Brown	Grayson	McCorquodale	Stembridge
Burgreen	Hain	McElhaney	Stubbs
Cameron	Hardin	McLain	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Melton	Waggoner
Collins (W)	Haygood	Merrill	Williams
Cook (Coffee)	Headley	Money	Wood
Cook (Jefferson)	Higginbotham	Nettles	Wright
Crane	Hill	Owen (Baldwin)	Yeilding
Crawford	Hobbie	Owens (W)	Young
Dobbs			

—85

PERMISSION GRANTED TO ADD NAME AS CO-SPONSOR

On motion of Mr. Mays, permission was granted to add his name as co-sponsor to the bills, H. 891 and H. 857.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Ellis, unanimous consent was granted for the Journal to show that he had inadvertently voted Yea on the bill, H. 822, but he had meant to vote No.

BILLS ON THIRD READING RESUMED

And the bill:

H. 857. To amend Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions for the distribution of the net proceeds from the license taxes and registration fees therein referred to.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	Holladay	Pearson
Adwell	Dobbs	House	Pennington
Agee	Doss	Lemley	Perloff
Bank	Downing	Lybrand	Pruitt
Bassett	Drake	Lyons	Robertson
Beck	Edington	Malone	Sessions
Berryman (W)	Ellis	Manley	Shumate
Blanton	Fine	Marr	Slate
Bolton	Garrett	Mathews	Smith
Brannan	Gloor	Mays	Snell
Brassell	Graham	McCorquodale	Starnes
Brown	Grainger	McElhaney	Steagall
Burgreen	Grayson	McLain	Stembridge
Cameron	Hain	Meade	Stubbs
Collier	Hardin	Meeks	Tuck
Collins (C)	Harper	Melton	Turnham
Collins (W)	Harris	Merrill	Waggoner
Cook (Coffee)	Haygood	Money	Williams
Cook (Jefferson)	Headley	Nettles	Wood
Crane	Higginbotham	Owen (Baldwin)	Wright
Crawford	Hill	Owens (W)	Yeilding
Culver	Hobbie	Paulk	Young

—88

MOTION TO BRING UP H. 657 OUT OF ORDER

On motion of Mr. Perloff, the rules were suspended and permission granted to bring up the bill, H. 657, out of order.

Yeas 68; Nays 10.

Yeas:

Messrs.:	Drake	Lybrand	Robertson
Agee	Ellis	Manley	Sessions
Bank	Fine	Marr	Shumate
Bassett	Graham	Mays	Slate
Beck	Grainger	McCorquodale	Snell
Berryman (W)	Grayson	McElhaney	Springer
Bolton	Hardin	McLain	Steagall
Brannan	Harper	Meade	Stembridge
Cameron	Haygood	Melton	Tuck
Collins (W)	Headley	Merrill	Turnham
Cook (Coffee)	Higginbotham	Money	Waggoner
Crane	Hobbie	Owen (Baldwin)	Watkins
Crawford	Holladay	Owens (W)	Weeks
Culver	House	Paulk	Williams
Dill	Kilgore	Pearson	Wood
Dobbs	Laxson	Pennington	Wright
Doss	Lemley	Perloff	Young
Downing			

—68

Nays:

Mr. Speaker	Hain	Meeks	Neville
Collins (C)	Harris	Nettles	Stubbs
Edington	Lyons		

—10

And the bill:

H. 657. Relating to cities having populations of not less than 35,000 nor more than 55,000, according to the most recent federal decennial

census; authorizing and providing for an increase in the board of directors of certain public utility systems in such cities.

Was taken up.

Mr. Edington moved that the bill, H. 657, be recommitted to the Standing Committee on Local Legislation No. 3.

On motion of Mr. Perloff, the motion of Mr. Edington to recommit the bill was tabled.

Yeas 66; Nays 6.

Yeas:

Mr. Speaker	Ellis	Marr	Slate
Agee	Fine	Mays	Snell
Bank	Gloor	McElhaney	Springer
Bassett	Graham	McLain	Starnes
Beck	Grainger	Meade	Steagall
Brannan	Hardin	Melton	Stembridge
Brassell	Harper	Merrill	Stubbs
Burgreen	Harris	Owen (Baldwin)	Turnham
Cameron	Haygood	Owens (W)	Waggoner
Collins (W)	Headley	Paulk	Watkins
Cook (Coffee)	Higginbotham	Pearson	Weeks
Cook (Jefferson)	Hobbie	Pennington	Williams
Culver	Holladay	Perloff	Wood
Dobbs	House	Robertson	Wright
Doss	Kilgore	Sessions	Yeilding
Downing	Laxson	Shumate	Young
Drake	Lemley		—66

Nays:

Messrs.:	Edington	Lyons	Neville
Collins (C)	Garrett	Nettles	—6

And the bill, H. 657, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 4.

Yeas:

Mr. Speaker	Drake	Malone	Shumate
Agee	Ellis	Manley	Slate
Bank	Garrett	Marr	Snell
Bassett	Gloor	Mays	Springer
Beck	Graham	McCorquodale	Starnes
Brannan	Grainger	McElhaney	Steagall
Brassell	Hardin	McLain	Stembridge
Brown	Harper	Meade	Stubbs
Burgess	Harris	Melton	Tuck
Burgreen	Haygood	Merrill	Turnham
Cameron	Headley	Money	Waggoner
Collins (W)	Higginbotham	Owen (Baldwin)	Watkins
Cook (Coffee)	Hill	Owens (W)	Weeks
Cook (Jefferson)	Holladay	Paulk	Williams
Crawford	House	Pearson	Wood
Culver	Kilgore	Perloff	Wright
Dobbs	Laxson	Robertson	Yeilding
Doss	Lemley	Sessions	Young
Downing	Lybrand		—74

Nays:

Messrs.:	Edington	Lyons	Nettles
Collins (C)			—4

And the bill:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Was read a third time at length and passed.

Yeas 91; Nay 1.

Yeas:

Mr. Speaker	Downing	Laxson	Pennington
Agee	Drake	Lemley	Perloff
Bassett	Edington	Lybrand	Pruitt
Beck	Ellis	Lyons	Robertson
Berryman (W)	Fine	Malone	Sessions
Bolton	Garrett	Manley	Slate
Brannan	Gloor	Marr	Smith
Brassell	Graham	Mathews	Snell
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Stubbs
Collier	Harper	Meade	Tuck
Collins (C)	Harris	Meeks	Turnham
Collins (W)	Haygood	Melton	Waggoner
Cook (Coffee)	Headley	Merrill	Watkins
Cook (Jefferson)	Higginbotham	Money	Weeks
Crane	Hill	Nettles	Williams
Crawford	Hobbie	Neville	Wood
Culver	Holladay	Owen (Baldwin)	Wright
Dill	House	Owens (W)	Yeilding
Dobbs	Jackson (T)	Paulk	Young
Doss	Kilgore	Pearson	—91

Nay: Mr. Blanton. —1

And the bill:

H. 886. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment at their respective maturities of the principal of and interest on bonds of Alabama Highway Authority issued under an act adopted at the 1969 Regular Session of the Legislature of Alabama, and to clarify the provisions of the said Act insofar as they relate to refunding bonds that may hereafter be issued.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nay 1.

Yeas:

Mr. Speaker	Berryman (W)	Brassell	Cameron
Agee	Blanton	Brown	Collier
Bassett	Bolton	Burgess	Collins (C)
Beck	Brannan	Burgreen	Collins (W)

Cook (Coffee)	Harper	Mays	Sessions
Crawford	Harris	McCorquodale	Shumate
Culver	Haygood	McElhaney	Slate
Dill	Headley	McLain	Smith
Dobbs	Hill	Meade	Snell
Downing	Hobbie	Melton	Starnes
Drake	Holladay	Merrill	Steagall
Edington	House	Money	Stembridge
Ellis	Jackson (T)	Nettles	Stubbs
Fine	Laxson	Neville	Tuck
Garrett	Lemley	Owen (Baldwin)	Turnham
Gloor	Lybrand	Owens (W)	Waggoner
Graham	Lyons	Paulk	Williams
Grainger	Malone	Pearson	Wood
Grayson	Manley	Pennington	Wright
Hain	Marr	Pruitt	Yeilding
Hardin	Mathews	Robertson	Young

—84

Nay: Mr. Higginbotham. —1

And the bill:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Was read a third time at length and passed.

Yeas 87; Nay 1.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pennington
Agee	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Bolton	Gafford	Malone	Shumate
Brannan	Garrett	Manley	Smith
Brassell	Gloor	Marr	Snell
Brown	Graham	Mathews	Starnes
Burgess	Grainger	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stembridge
Cameron	Hain	McLain	Stubbs
Collier	Hardin	Meade	Tuck
Collins (C)	Harper	Meeks	Turnham
Collins (W)	Harris	Melton	Waggoner
Cook (Coffee)	Haygood	Merrill	Weeks
Cook (Jefferson)	Headley	Money	Williams
Crane	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Dill	Hobbie	Owen (Baldwin)	Yeilding
Dobbs	Holladay	Owens (W)	Young
Doss	House	Paulk	

—87

Nay: Mr. Blanton. —1

UNANIMOUS CONSENT GRANTED

On the request of Mr. Adwell, unanimous consent was granted for the Journal to show he inadvertently voted Yea on the bill, H. 822, and he meant to vote No.

BILLS ON THIRD READING RESUMED

And the bill:

H. 858. To make further provision for the financing and construction of public bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding $25,000,000 principal amount of bonds in addition to those heretofor authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of fiduciary funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Gafford	Malone	Sessions
Berryman (W)	Garrett	Manley	Shumate
Blanton	Gloor	Marr	Slate
Brannan	Graham	Mathews	Smith
Brassell	Grainger	Mays	Snell
Burgess	Grayson	McCorquodale	Starnes
Burgreen	Hain	McElhaney	Steagall
Cameron	Hardin	McLain	Stembridge
Collier	Harper	Meade	Stubbs
Collins (C)	Harris	Melton	Tuck
Collins (W)	Haygood	Merrill	Turnham
Cook (Coffee)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crane	Hill	Neville	Williams
Crawford	Hobbie	Owen (Baldwin)	Wood
Dill	Holladay	Owens (W)	Wright
Dobbs	House	Paulk	Yeilding
Doss	Jackson (T)	Pearson	Young
Downing	Kilgore		—90

And the bill:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which

require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Paulk
Agee	Downing	Laxson	Pearson
Bank	Drake	Lemley	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Fine	Lyons	Pruitt
Berryman (W)	Gafford	Malone	Robertson
Blanton	Garrett	Manley	Sessions
Brannan	Gloor	Marr	Shumate
Brassell	Graham	Mathews	Slate
Brown	Grainger	Mays	Smith
Burgess	Grayson	McCorquodale	Snell
Burgreen	Hain	McElhaney	Starnes
Cameron	Hardin	McLain	Steagall
Collier	Harper	Meade	Stembridge
Collins (C)	Harris	Meeks	Stubbs
Collins (W)	Haygood	Melton	Tuck
Cook (Coffee)	Headley	Merrill	Turnham
Cook (Jefferson)	Higginbotham	Money	Waggoner
Crane	Hill	Nettles	Williams
Crawford	Hobbie	Neville	Wright
Dill	Holladay	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young

—88

MOTION TO INDEFINITELY POSTPONE H. 313

On motion of Mr. Springer, the bill, H. 313, was indefinitely postponed.

And the bill:

H. 888. To amend Sections 6 and 11 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to change the duration for which the corporation organized thereunder (known as Alabama Highway Authority) shall continue to exist.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collier	Garrett	Holladay
Agee	Collins (C)	Gloor	House
Bank	Collins (W)	Graham	Jackson (T)
Bassett	Cook (Coffee)	Grainger	Kilgore
Beck	Crane	Grayson	Laxson
Berryman (W)	Culver	Hain	Lemley
Blanton	Dill	Hardin	Lybrand
Brannan	Downing	Harper	Lyons
Brassell	Drake	Harris	Malone
Brown	Edington	Haygood	Manley
Burgess	Ellis	Headley	Marr
Burgreen	Fine	Higginbotham	Mathews
Cameron	Gafford	Hobbie	Mays

McCorquodale	Owen (Baldwin)	Sessions	Stubbs
McElhaney	Owens (W)	Shumate	Tuck
Meade	Paulk	Slate	Turnham
Meeks	Pearson	Smith	Waggoner
Melton	Pennington	Snell	Williams
Merrill	Perloff	Starnes	Wright
Money	Pruitt	Steagall	Yeilding
Nettles	Robertson	Stembridge	Young
Neville			—85

And the bill:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Was read a third time at length and passed.

Yeas 83; Nays 2.

Yeas:

Mr. Speaker	Edington	Lybrand	Pennington
Agee	Ellis	Lyons	Perloff
Bank	Fine	Malone	Pruitt
Bassett	Garrett	Manley	Robertson
Beck	Gloor	Marr	Sessions
Berryman (W)	Graham	Mathews	Shumate
Blanton	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Snell
Brassell	Hain	McElhaney	Starnes
Brown	Harper	McLain	Steagall
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Meeks	Stubbs
Collier	Headley	Melton	Tuck
Collins (C)	Higginbotham	Merrill	Turnham
Collins (W)	Hill	Money	Waggoner
Cook (Coffee)	Hobbie	Nettles	Williams
Cook (Jefferson)	Holladay	Neville	Wood
Culver	House	Owen (Baldwin)	Wright
Dobbs	Jackson (T)	Owens (W)	Yeilding
Downing	Laxson	Paulk	Young
Drake	Lemley	Pearson	—83

Nays: Messrs. Dill and Slate. —2

MOTION TO INDEFINITELY POSTPONE H. 271

On motion of Mr. Cook (Jefferson), the bill, H. 271, was indefinitely postponed.

And the bill:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

Was taken up.

Mr. Garrett rose to a point of order with regard to House and Senate Joint Rule No. 4, and the bill, S. 238, was recommitteed to the Standing Committee on Judiciary.

And the bill:

H. 360. To make an appropriation to the Governor's Office for the purpose of paying a contribution to the National Governors Conference.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Adwell	Doss	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bank	Drake	Lybrand	Robertson
Bassett	Edington	Lyons	Sessions
Beck	Ellis	Malone	Shumate
Berryman (W)	Fine	Marr	Slate
Blanton	Garrett	Mathews	Smith
Bolton	Graham	Mays	Snell
Brannan	Grainger	McCorquodale	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgess	Hain	McLain	Stembridge
Burgreen	Hardin	Meade	Stubbs
Cameron	Harper	Meeks	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Weeks
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wood
Crawford	Hill	Owen (Baldwin)	Wright
Culver	Hobbie	Owens (W)	Yeilding
Dill	House	Paulk	Young

—84

Nay: Mr. Gafford. —1

And the bill:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Was read a third time at length and passed.

Yeas 74; Nays 2.

Yeas:

Mr. Speaker	Culver	Hardin	Malone
Agee	Dill	Harper	Marr
Bassett	Dobbs	Harris	Mathews
Berryman (W)	Doss	Haygood	Mays
Brannan	Downing	Headley	McElhaney
Brassell	Drake	Higginbotham	McLain
Burgess	Edington	Hill	Meade
Burgreen	Ellis	Hobbie	Melton
Cameron	Fine	Holladay	Money
Collier	Garrett	House	Nettles
Collins (C)	Gloor	Jackson (T)	Owen (Baldwin)
Collins (W)	Graham	Kilgore	Owens (W)
Cook (Coffee)	Grainger	Laxson	Paulk
Cook (Jefferson)	Grayson	Lemley	Pearson
Crawford	Hain	Lyons	Pennington

Perloff	Smith	Tuck	Wright
Sessions	Starnes	Turnham	Yeilding
Shumate	Steagall	Williams	Young
Slate	Stembridge		

—74

Nays: Messrs. Gafford and Stubbs. —2

And the bill:

H. 420. To make an appropriation to the Governor's office for the payment of legal fees in connection with legal actions filed or to be filed against the State Board of Education, local boards of education or superintendents of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Smith
Brassell	Gloor	Mays	Snell
Burgess	Grainger	McCorquodale	Starnes
Burgreen	Grayson	McElhaney	Steagall
Cameron	Hain	Meade	Stembridge
Collier	Hardin	Meeks	Stubbs
Collins (C)	Harper	Melton	Tuck
Collins (W)	Harris	Merrill	Turnham
Cook (Coffee)	Haygood	Money	Weeks
Cook (Jefferson)	Higginbotham	Nettles	Williams
Dill	Hill	Neville	Wood
Dobbs	House	Owen (Baldwin)	Wright
Doss	Kilgore	Paulk	Young

—76

And the bill:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collier	Edington	Higginbotham
Agee	Collins (C)	Ellis	Hill
Bank	Collins (W)	Fine	Hobbie
Bassett	Cook (Coffee)	Gloor	Holladay
Beck	Cook (Jefferson)	Graham	House
Berryman (W)	Crane	Grainger	Jackson (T)
Blanton	Culver	Grayson	Kilgore
Brannan	Dill	Hain	Lemley
Brassell	Dobbs	Hardin	Lyons
Burgess	Doss	Harper	Malone
Burgreen	Downing	Harris	Manley
Cameron	Drake	Haygood	Marr

Mathews	Nettles	Robertson	Stubbs
Mays	Neville	Sessions	Tuck
McCorquodale	Owen (Baldwin)	Shumate	Turnham
McElhaney	Owens (W)	Slate	Waggoner
McLain	Paulk	Smith	Williams
Meade	Pearson	Snell	Wood
Meeks	Pennington	Starnes	Wright
Melton	Perloff	Steagall	Yeilding
Merrill	Pruitt	Stembridge	Young
Money			

—85

And the bill:

H. 423. To amend further "The Alabama G. I. and Dependents' Educational Benefit Act," Act No. 47, H. 29, approved May 24, 1951 (Acts of Alabama 1951, p. 259); in relation to the periods during which service must be rendered, the duration of such service and the time of residence in Alabama of the veteran entitled to benefits under the Act; to eliminate certain redundancies in the Act; to clarify certain ambiguities therein; and to provide that the benefits authorized therein shall be in addition to other state and federal benefits accorded to children, wives and Widows of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bassett	Drake	Lybrand	Pruitt
Beck	Edington	Lyons	Robertson
Berryman (W)	Ellis	Malone	Sessions
Blanton	Fine	Manley	Shumate
Bolton	Garrett	Marr	Slate
Bowers	Graham	Mays	Smith
Brassell	Grainger	McElhaney	Snell
Brown	Grayson	McLain	Starnes
Burgess	Hain	Meade	Steagall
Burgreen	Hardin	Meeks	Stembridge
Cameron	Harper	Melton	Stubbs
Collier	Harris	Merrill	Tuck
Collins (C)	Haygood	Money	Turnham
Collins (W)	Headley	Nettles	Weeks
Cook (Coffee)	Higginbotham	Neville	Williams
Crane	Hill	Owen (Baldwin)	Wood
Culver	Hobbie	Owens (W)	Wright
Dill	Holladay	Paulk	Yeilding
Dobbs	Jackson (T)	Pearson	Young

—84

And the bill:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity

of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Was read a third time at length and passed.

Yeas 83; Nays 2.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bassett	Edington	Lybrand	Perloff
Beck	Ellis	Lyons	Pruitt
Berryman (W)	Fine	Malone	Sessions
Blanton	Garrett	Manley	Slate
Bolton	Gloor	Marr	Smith
Bowers	Graham	Mathews	Snell
Brannan	Grainger	Mays	Starnes
Brassell	Grayson	McCorquodale	Steagall
Brown	Hain	McElhaney	Stembridge
Burgreen	Hardin	McLain	Stubbs
Cameron	Harper	Meade	Turnham
Collier	Harris	Melton	Waggoner
Collins (C)	Haygood	Merrill	Weeks
Collins (W)	Headley	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Wood
Culver	Hill	Neville	Wright
Dill	Holladay	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Doss	Jackson (T)	Paulk	—83

Nays: Messrs. Burgess and Hobbie. —2

And the bill:

H. 452. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor,

services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.' "

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 13.

Yeas:

Mr. Speaker	Downing	House	Sessions
Agee	Drake	Lemley	Shumate
Bassett	Edington	Manley	Slate
Beck	Ellis	Mays	Smith
Berryman (W)	Fine	McElhaney	Snell
Bolton	Gloor	Meade	Springer
Brannan	Grayson	Melton	Starnes
Brassell	Hain	Money	Steagall
Brown	Hardin	Neville	Stembridge
Burgess	Haygood	Owen (Baldwin)	Tuck
Burgreen	Headley	Paulk	Turnham
Cameron	Higginbotham	Pearson	Weeks
Collier	Hill	Pruitt	Williams
Culver	Hobbie	Robertson	Young
Dobbs			—57

Nays:

Messrs.:	Garrett	Malone	Owens (W)
Blanton	Grainger	Marr	Wood
Collins (W)	Harris	Nettles	Wright
Dill	Lyons		—13

And the bill:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lybrand	Pennington
Agee	Fine	Lyons	Pruitt
Bassett	Garrett	Malone	Robertson
Berryman (W)	Gloor	Manley	Sessions
Bolton	Grainger	Marr	Shumate
Bowers	Grayson	Mathews	Slate
Brannan	Hain	Mays	Smith
Brassell	Hardin	McCorquodale	Snell
Brown	Harper	McElhaney	Springer
Burgreen	Harris	Meade	Starnes
Cameron	Haygood	Meeks	Steagall
Collier	Headley	Melton	Stembridge
Collins (W)	Higginbotham	Merrill	Stubbs
Crawford	Hill	Money	Turnham
Culver	Hobbie	Neville	Waggoner
Dill	Holladay	Owen (Baldwin)	Williams
Dobbs	House	Owens (W)	Wright
Doss	Kilgore	Paulk	Yeilding
Downing	Laxson	Pearson	Young
Edington	Lemley		—78

And the bill:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Was read a third time at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Paulk
Agee	Drake	Laxson	Pearson
Bassett	Edington	Lemley	Pennington
Beck	Ellis	Lybrand	Pruitt
Berryman (W)	Fine	Lyons	Robertson
Bolton	Gafford	Malone	Sessions
Bowers	Garrett	Manley	Slate
Brannan	Gloor	Marr	Smith
Brassell	Grainger	Mathews	Snell
Brown	Grayson	Mays	Springer
Burgess	Hain	McElhaney	Starnes
Burgreen	Hardin	McLain	Steagall
Cameron	Harper	Meade	Stembridge
Collier	Harris	Meeks	Turnham
Collins (W)	Haygood	Melton	Waggoner
Cook (Jefferson)	Headley	Money	Williams
Crawford	Higginbotham	Nettles	Wood
Culver	Hill	Neville	Wright
Dill	Hobbie	Owen (Baldwin)	Yeilding
Dobbs	Holladay	Owens (W)	Young
Doss			

—81

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolution, to-wit:

H. J. R. 23. Requesting the Congress of the United States to initiate an investigation regarding the discontinuance of passenger trains.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

And the bill:

H. 19. Relating to the powers and duties of the state personnel director, relieving such officer of the duty of having published the names and addresses of state employees.

Was taken up.

Mr. Sessions moved that the bill, H. 19, be carried over to the twentieth Legislative Day.

On motion of Mr. Headley, the motion of Mr. Sessions to carry over was tabled.

Yeas 59; Nays 24.

Yeas:

Mr. Speaker	Cook (Jefferson)	Headley	Owens (W)	
Adwell	Crawford	Hill	Pennington	
Agee	Culver	Hobbie	Shumate	
Beck	Dill	Holladay	Slate	
Berryman (W)	Dobbs	House	Smith	
Blanton	Doss	Laxson	Snell	
Bolton	Downing	Lemley	Springer	
Brannan	Drake	Malone	Steagall	
Brassell	Fine	Marr	Stubbs	
Brown	Garrett	Mays	Waggoner	
Burgreen	Graham	McElhaney	Williams	
Cameron	Grainger	Meade	Wood	
Collins (C)	Harper	Money	Wright	
Collins (W)	Harris	Neville	Young	
Cook (Coffee)	Haygood	Owen (Baldwin)		—59

Nays:

Messrs.:	Gloor	Manley	Pearson	
Bassett	Grayson	McCorquodale	Perloff	
Burgess	Hardin	Meeks	Pruitt	
Collier	Jackson (T)	Melton	Stembridge	
Edington	Kilgore	Nettles	Tuck	
Ellis	Lyons	Paulk	Turnham	
Gafford				—24

And the bill, H. 19, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 21.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hobbie	Paulk	
Agee	Culver	House	Perloff	
Bassett	Dill	Laxson	Shumate	
Beck	Dobbs	Lemley	Slate	
Berryman (W)	Doss	Lybrand	Smith	
Bolton	Downing	Malone	Snell	
Brannan	Fine	Marr	Springer	
Brassell	Graham	Mays	Steagall	
Brown	Grainger	McElhaney	Stubbs	
Burgreen	Harper	Meade	Waggoner	
Cameron	Harris	Money	Williams	
Collins (C)	Haygood	Neville	Wood	
Collins (W)	Headley	Owen (Baldwin)	Wright	
Cook (Coffee)	Hill	Owens (W)	Young	
				—56

Nays:

Messrs.:	Ellis	McCorquodale	Pruitt	
Adwell	Gafford	Melton	Sessions	
Burgess	Gloor	Nettles	Stembridge	
Collier	Jackson (T)	Pearson	Tuck	
Crawford	Lyons	Pennington	Turnham	
Edington	Manley			—21

And the bill:

S. 209. To implement, when ratified, the provisions of that certain Constitutional Amendment proposed by the Legislature of Alabama in ..... adopted at the 1969 Regular Session of the Legislature of Alabama and that authorizes the State, in promoting and aiding the commercial flow of agriculture products within the State or in aid of commerce and use of the waterways of the State, to engage in works of internal improvement by promoting, developing, constructing, maintaining and operating within the State or along navigable streams and waterways now or hereafter existing within the State all manner of elevators, facilities, warehouses, docks, water and rail terminals and other structures and facilities and improvements needful for the convenient use of the same, and to incur indebtedness and issue bonds for said purpose; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 262 adopted at 1967 Regular Session of the Legislature of Alabama; to implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding $10,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding $10,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under this Act; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued hereunder; to make appropriation for payment of the principal and interest on bonds issued under the 1969 Docks Amendment, the 1967 Docks Amendment and the 1957 Docks Amendment from the General Fund of the State; to provide for the acquisition of property for the purpose of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act, or Act No. 264 adopted at the 1967 Regular Session of the Legislature, Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature, Act No. 716 adopted at the 1961 Regular Session of the Legislature, or Act No. 192 adopted at the 1963 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the State Docks facilities at the Port of Mobile shall be used to meet operating deficits of the facilities constructed under said 1969 Docks Amendment, said 1967 Docks Amendment, or said 1957 Docks Amendment.

Was read a third time at length and passed.

Yeas 82; Nays 4.

Yeas:

Mr. Speaker	Doss	Lemley	Perloff
Agee	Downing	Lybrand	Pruitt
Bassett	Drake	Lyons	Robertson
Beck	Edington	Malone	Sessions
Berryman (W)	Ellis	Manley	Shumate
Blanton	Fine	Marr	Smith
Bolton	Garrett	Mays	Snell
Bowers	Gloor	McCorquodale	Springer
Brannan	Graham	McElhaney	Starnes
Brassell	Grainger	Meade	Steagall
Burgess	Grayson	Meeks	Stembridge
Burgreen	Hain	Melton	Stubbs
Cameron	Harper	Merrill	Tuck
Collier	Harris	Money	Turnham
Collins (W)	Haygood	Neville	Waggoner
Cook (Coffee)	Headley	Owen (Baldwin)	Watkins
Cook (Jefferson)	Higginbotham	Owens (W)	Williams
Crawford	Hill	Paulk	Wood
Culver	Hobbie	Pearson	Wright
Dill	Holladay	Pennington	Young
Dobbs	House		—82

Nays:

Messrs.:	Gafford	Hardin	Nettles
Collins (C)			—4

And the bill:

S. 210. To propose an amendment to the Constitution of Alabama authorizing the State to engage in works of internal improvement in promoting and aiding the commercial flow of agricultural products within the State or to engage in works of internal improvement along navigable waterways within the State; authorizing the State to become indebted for not exceeding $10,000,000 aggregate principal indebtedness in connection therewith and authorizing pledge of the faith and credit of the State to secure the repayment of such indebtedness and interest thereon.

Was read a third time at length and passed.

Yeas 83; Nays 6.

Yeas:

Mr. Speaker	Crawford	Hardin	Manley
Agee	Culver	Harper	Marr
Bank	Dill	Harris	Mathews
Bassett	Dobbs	Haygood	Mays
Beck	Doss	Headley	McElhaney
Berryman (W)	Downing	Higginbotham	Meade
Blanton	Drake	Hill	Melton
Bolton	Edington	Hobbie	Merrill
Bowers	Ellis	Holladay	Money
Brannan	Fine	House	Neville
Brassell	Garrett	Kilgore	Owen (Baldwin)
Burgess	Gloor	Laxson	Owens (W)
Burgreen	Graham	Lemley	Owens (W.E.)
Collier	Grainger	Lybrand	Paulk
Collins (W)	Grayson	Lyons	Pearson
Cook (Coffee)	Hain	Malone	Pennington

Perloff	Smith	Stembridge	Williams	
Pruitt	Snell	Stubbs	Wood	
Robertson	Springer	Tuck	Wright	
Sessions	Starnes	Turnham	Young	
Shumate	Steagall	Waggoner		—83

Nays:

Messrs.:	Collins (C)	Jackson (T)	Yeilding	
Adwell	Gafford	Nettles		—6

And the bill:

H. 892. To authorize Alabama Public School and College Authority, a public corporation, to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions where the board of directors of the Authority, with the approval of the Governor, shall determine that such capital improvements can be most advantageously located; to provide for the details of the said bonds and for the sale thereof; to make appropriation and pledge of funds for payment of the principal of and interest on the said bonds and authorize the Authority to pledge for payment of the said principal and interest the funds so appropriated and pledged herein; to provide that the said bonds shall be limited obligations of the Authority payable solely from the funds so appropriated and pledged and shall not create an obligation or debt of the state; to provide that the said bonds and the income therefrom shall be exempt from taxation and the said bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the refunding of such bonds by the issuance of refunding bonds; to adopt with respect to the said bonds certain provisions of Act No. 243 adopted at the 1965 Special Session of the Legislature of Alabama; and to specify certain other provisions respecting the said bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pennington	
Agee	Drake	Lybrand	Perloff	
Bank	Edington	Lyons	Pruitt	
Bassett	Ellis	Malone	Robertson	
Beck	Fine	Manley	Sessions	
Berryman (W)	Garrett	Marr	Shumate	
Blanton	Graham	Mathews	Smith	
Bowers	Grainger	Mays	Snell	
Brannan	Grayson	McCorquodale	Springer	
Brassell	Harper	Meade	Starnes	
Burgess	Harris	Meeks	Steagall	
Burgreen	Haygood	Melton	Stembridge	
Collier	Headley	Merrill	Stubbs	
Collins (C)	Higginbotham	Money	Tuck	
Collins (W)	Hill	Nettles	Turnham	
Cook (Coffee)	Hobbie	Neville	Waggoner	
Cook (Jefferson)	Holladay	Owen (Baldwin)	Watkins	
Crane	House	Owens (W)	Williams	
Crawford	Jackson (T)	Owens (W.E.)	Wood	
Culver	Kilgore	Paulk	Wright	
Dill	Laxson	Pearson	Yeilding	
Doss				—85

And the bill:

H. 137. To amend Act No. 866, Regular Session 1965, an act relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the insured and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Dobbs	Kilgore	Pennington
Agee	Downing	Laxson	Perloff
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lyons	Sessions
Berryman (W)	Fine	Malone	Smith
Blanton	Garrett	Manley	Snell
Bolton	Gloor	Mays	Springer
Bowers	Graham	McCorquodale	Starnes
Brannan	Grainger	McElhaney	Steagall
Brassell	Grayson	McLain	Stembridge
Burgess	Hain	Meade	Stubbs
Burgreen	Hardin	Melton	Tuck
Cameron	Harper	Merrill	Turnham
Collier	Harris	Money	Waggoner
Collins (C)	Haygood	Nettles	Williams
Cook (Coffee)	Headley	Neville	Wood
Crane	Higginbotham	Owen (Baldwin)	Wright
Crawford	Hill	Owens (W.E.)	Yeilding
Culver	Hobbie	Paulk	Young

—80

Nays: Messrs. Lybrand and Mathews. —2

And the bill:

H. 776 (with substitute). To amend further Section 1 of Act No. 518, H. 283, approved September 16, 1963 (Acts of Alabama, p. 1106), to fix the compensation of Court Reporters, and provide for the payment thereof.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on State Administration, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 518, H. 283, approved September 16, 1963 (Acts of Alabama, p. 1106), to fix the compensation of court reporters, and provide for the payment thereof.

Be It Enacted by the Legislature of the State of Alabama:

That Section 1 of Act No. 518, approved September 16, 1963 (Acts of Alabama, p. 1106) to fix compensation of court reporters, and providing for the payment thereof, is amended further to read as follows:

"Section 1. The official court reporters appointed and holding office under the provisions of law shall receive a salary of Seven Thousand Dollars per annum ($7,000.00), twenty-two hundred dollars of which shall be payable in monthly installments by the counties composing the circuits, each county to pay its pro rata part thereof, upon the assessed tax valuation of all property in such county for the preceeding year, such payments to be made on certificate issued by the judge of the court in favor of such official reporter for the respective amounts due by the several counties each month, the same to be paid by the treasurer of each county out of the general fund on presentation in the same manner as jurors' certificates are now paid, and the remaining Forty-eight Hundred Dollars per annum ($4800.00) shall be paid in equal installments on the warrant of the state comptroller from the general fund in the state treasury."

Section 2. It is expressly provided that this act shall not repeal or amend any local law, special law, general law, or general law of local application providing extra allowances, compensation or expenses of any court reporter paid from the funds of any county or counties; it being the purpose of this act to increase the compensation paid by the state from $3800 per annum to $4800 per annum and that this increase shall be in addition to the amount provided for in Section 1, to be paid by the counties and in addition to any further amounts paid by the individual counties.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	Kilgore	Paulk
Adwell	Dobbs	Laxson	Pearson
Agee	Doss	Lemley	Pennington
Bank	Downing	Lybrand	Perloff
Bassett	Drake	Lyons	Pruitt
Beck	Edington	Malone	Robertson
Berryman (W)	Ellis	Manley	Sessions
Blanton	Fine	Marr	Shumate
Bolton	Garrett	Mathews	Slate
Bowers	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Melton	Stubbs
Collier	Harris	Merrill	Tuck
Collins (W)	Haygood	Money	Turnham
Cook (Coffee)	Higginbotham	Nettles	Waggoner
Cook (Jefferson)	Hill	Neville	Williams
Crane	Hobbie	Owen (Baldwin)	Wood
Crawford	Holladay	Owens (W)	Wright
Culver	Jackson (T)	Owens (W.E.)	Young

—88

And the bill, H. 776, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	House	Paulk
Adwell	Dill	Jackson (T)	Pearson
Agee	Dobbs	Kilgore	Perloff
Bank	Doss	Laxson	Pruitt
Bassett	Downing	Lemley	Robertson
Beck	Drake	Lybrand	Sessions
Berryman (W)	Edington	Lyons	Smith
Bolton	Ellis	Malone	Snell
Bowers	Fine	Manley	Springer
Brannan	Garrett	Marr	Starnes
Brassell	Graham	Mays	Steagall
Brown	Grainger	McElhaney	Stembridge
Burgess	Grayson	McLain	Stubbs
Burgreen	Hain	Meade	Tuck
Cameron	Hardin	Melton	Turnham
Collier	Harper	Merrill	Waggoner
Collins (C)	Harris	Money	Williams
Collins (W)	Haygood	Nettles	Wood
Cook (Coffee)	Higginbotham	Neville	Yeilding
Cook (Jefferson)	Hill	Owen (Baldwin)	Young
Crawford	Hobbie	Owens (W.E.)	

—83

And the bill:

H. 777. To amend further Section 2 of Act No. 302, H. 208, approved September 5, 1919 (General Acts of Alabama, p. 268) entitled "An Act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Was taken up.

On motion of Mr. Bolton, the bill, H. 777, was indefinitely postponed.

Yeas 51; Nays 40.

Yeas:

Messrs.:	Doss	Jackson (T)	Sessions
Adwell	Downing	Kilgore	Shumate
Bassett	Ellis	Laxson	Slate
Berryman (W)	Fine	Lemley	Stembridge
Bolton	Gafford	Lybrand	Stubbs
Burgess	Gloor	Malone	Tuck
Cameron	Grainger	McLain	Waggoner
Collier	Hardin	Meeks	Watkins
Collins (C)	Harper	Money	Weeks
Crane	Harris	Nettles	Wood
Crawford	Haygood	Owens (W.E.)	Wright
Culver	Hobbie	Pennington	Yeilding
Dill	Holladay	Perloff	Young

—51

Nays:

Mr. Speaker	Brannan	Cook (Jefferson)	Graham
Agee	Brassell	Dobbs	Grayson
Beck	Burgreen	Drake	Hain
Blanton	Cook (Coffee)	Garrett	Headley

Higginbotham	McCorquodale	Owen (Baldwin)	Snell
House	McElhaney	Owens (W)	Springer
Lyons	Meade	Paulk	Starnes
Manley	Melton	Pearson	Steagall
Marr	Merrill	Pruitt	Turnham
Mays	Neville	Robertson	Williams

—40

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 75. Requesting the Republican Administration, and particularly the President of the United States, to take immediate steps to rescind the HEW plan requiring the massive crosstown bussing of Mobile school children.

Also:

H. J. R. 77. Congratulating the Alabama Department of the American Legion on the occasion of its 51st Annual State Convention.

Also:

H. J. R. 78. Requesting the Director of the Department of Health, Education and Welfare, Mr. Robert H. Finch, to reappraise the Mobile County public school system and to change HEW directives accordingly.

Also:

H. J. R. 80. Designating Alabama Highway 148 in Talladega and Clay Counties "The Bill Nichols Scenic Highway".

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 826. To make an appropriation to the Alabama Institute for Deaf and Blind for Capital Outlay purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cameron	Edington	Haygood
Adwell	Collier	Ellis	Headley
Agee	Collins (C)	Fine	Higginbotham
Bassett	Collins (W)	Garrett	Hill
Beck	Cook (Coffee)	Gloor	Hobbie
Blanton	Cook (Jefferson)	Graham	Holladay
Bolton	Crane	Grainger	House
Brannan	Crawford	Grayson	Jackson (T)
Brassell	Culver	Hain	Kilgore
Brown	Dill	Hardin	Laxson
Burgess	Downing	Harper	Lemley
Burgreen	Drake	Harris	Lybrand

Lyons	Merrill	Robertson	Tuck
Malone	Money	Sessions	Turnham
Manley	Nettles	Shumate	Waggoner
Marr	Neville	Slate	Watkins
Mays	Owen (Baldwin)	Smith	Weeks
McCorquodale	Owens (W)	Snell	Williams
McElhaney	Owens (W.E.)	Springer	Wood
McLain	Paulk	Starnes	Wright
Meade	Pearson	Steagall	Yeilding
Meeks	Perloff	Stembridge	Young
Melton	Pruitt	Stubbs	

—91

And the bill:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Perloff
Agee	Downing	Kilgore	Pruitt
Bassett	Drake	Laxson	Robertson
Beck	Edington	Lemley	Sessions
Berryman (W)	Ellis	Lybrand	Shumate
Blanton	Fine	Lyons	Slate
Bolton	Gafford	Malone	Smith
Brannan	Garrett	Manley	Snell
Brassell	Graham	Marr	Springer
Brown	Grainger	Mays	Starnes
Burgess	Hain	McLain	Stembridge
Burgreen	Hardin	Meade	Stubbs
Cameron	Harper	Meeks	Tuck
Collier	Harris	Melton	Turnham
Collins (W)	Haygood	Merrill	Waggoner
Cook (Jefferson)	Headley	Money	Weeks
Crane	Higginbotham	Nettles	Williams
Crawford	Hill	Neville	Wood
Culver	Hobbie	Owens (W)	Wright
Dill	Holladay	Owens (W.E.)	Yeilding
Dobbs	House	Pearson	Young

—84

And the bill:

H. 780 (with amendment). To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Strike Section 4 in its entirety and insert in lieu therefor the following:

"Section 4. There is hereby appropriated the sum of Seven Thousand, Nine Hundred Forty-four Dollars ($7,944.00) for each of the next two fiscal years for carrying out the provisions of this act."

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Sessions
Agee	Drake	Lybrand	Shumate
Bassett	Edington	Lyons	Slate
Beck	Ellis	Manley	Smith
Berryman (W)	Fine	Marr	Snell
Blanton	Garrett	Mays	Springer
Brannan	Graham	McElhaney	Starnes
Brassell	Grainger	McLain	Steagall
Brown	Hain	Meade	Stembridge
Burgess	Hardin	Meeks	Stubbs
Burgreen	Harper	Melton	Tuck
Cameron	Harris	Merrill	Turnham
Collier	Haygood	Money	Waggoner
Collins (W)	Headley	Nettles	Watkins
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Weeks
Cook (Jefferson)	Hill	Owens (W)	Williams
Crane	Hobbie	Owens (W.E.)	Wood
Crawford	House	Paulk	Wright
Dill	Jackson (T)	Pearson	Yeilding
Dobbs	Kilgore	Perloff	Young
Doss	Laxson	Pruitt	—83

And the bill, H. 780, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Perloff
Agee	Edington	Lemley	Sessions
Bassett	Ellis	Lybrand	Shumate
Beck	Fine	Lyons	Slate
Blanton	Garrett	Malone	Smith
Brannan	Graham	Marr	Snell
Brassell	Grainger	Mathews	Springer
Brown	Grayson	Mays	Starnes
Burgess	Hain	McElhaney	Steagall
Burgreen	Hardin	McLain	Stembridge
Cameron	Harper	Meade	Tuck
Collier	Harris	Meeks	Turnham
Collins (W)	Haygood	Merrill	Waggoner
Cook (Coffee)	Headley	Money	Watkins
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crane	Hill	Owen (Baldwin)	Williams
Crawford	Hobbie	Owens (W)	Wood
Dill	House	Owens (W.E.)	Wright
Dobbs	Jackson (T)	Paulk	Yeilding
Doss	Kilgore	Pearson	Young
Downing			—81

BILLS ON SECOND READING

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 880. To provide for uniformity in designating county governing bodies in the several counties of this state.

H. 862. To amend Act No. 243 adopted at the Special Session of 1965 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued by Alabama Public School and College Authority under the provisions of the said act.

H. 861. To amend Act No. 126 adopted at the Second Special Session of 1959 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued under the provisions of the said act.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 717. To regulate further the business of certain public utilities, gas districts, power districts, electric membership corporations, electric co-operatives, municipal electric utility boards and district electric corporations.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

H. 251. An act relating to the municipality of the City of Fort Payne, in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

H. 908. Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

H. 909. To provide an expense allowance for the judge of probate in all counties having populations of not less than 35,700 nor more than 36,600, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 913 (with amendment). Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

H. 930. To apply only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; providing for taxing, collecting and remitting circuit court costs by the town or cities located therein, when a case has been appealed from a City Recorder's Court, Mayor's Court, Police Court or any municipal court to the Circuit court in such counties and the appeal is dismissed and case remanded, and when a town or city permits a defendant to pay a fine and cost to the town or city after transcript on appeal is filed in Circuit Court.

H. 933. Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

H. 976. Relating to all counties having populations of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of the jury commission in such counties.

H. 977. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; authorizing the county board of education to

provide the superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer by the county governing body.

H. 978. Relating to all counties having populations of not less than 14,500 nor more than 14,900 according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

H. 980. Relating to DeKalb County; providing for nomination and election at large of members of the county commission, repealing conflicting laws.

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees. as follows:

By Mr. Cameron:

H. 998. To amend Section 301(10)C of Title 48 of the Code of Alabama, 1940 as Recompiled (Section 10C of the Alabama Motor Carrier Act of 1939) in order to specify that the Alabama Public Service Commission must hereafter make an express finding that the public convenience and necessity requires the specific authorization of charter authority to any common carrier by motor vehicle transporting passengers who is hereafter issued a certificate under the Alabama Motor Carrier Act and to provide for a definition of and to regulate charter authority which is incidental to certificates of public convenience and necessity previously issued by the Commission.

State Administration.

By Messrs. Hardin, Bassett and McElhaney:

H. 999. To exempt bona fide residents sixty-five years of age or older from the license fee imposed for the privilege of hunting.

Conservation.

By Messrs. Cook (Jefferson), House, Adwell, Ellis and Meeks:

H. 1000. To provide for purchasing and furnishing state-owned textbooks for certain state institutions.

Ways and Means.

By Messrs. Bolton, Holladay and Smith:

H. 1001. To provide for the issuance of distinctive motor vehicle license plates or tags to members of the Alabama delegation in the United States Congress for use by such persons upon their personally-owned, private, passenger vehicles in lieu of the standard license plates or tags now required; and to authorize and provide for the use of such distinctive plates or tags by such members of Congress.

Judiciary.

By Mr. McLain:

H. 1002. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation to make a contribution on behalf of the State of Alabama to the National Conference of Commissioners on Uniform State Laws.

Judiciary.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 1003. To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

Local Legislation No. 1.

Notice and Proof H. 1003:

STATE OF ALABAMA
COUNTY OF CALHOUN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

Be It Enacted by the Legislature of Alabama:

Section 1. The boundary lines and corporate limits of the city of Piedmont in Calhoun County are hereby altered, rearranged and extended so as to include within the corporate limits of the city, in addition to the area now embraced within such corporate limits of the city, a tract of land more particularly described as follows:

That part of Fraction "D" of Fractional Section 8 Twp 13 S, Rn 10 E that is now situated South of the present City Limits (1.0 Mile Radius) and described as follows:

From the Southeast corner of Fraction "D" Fractional Section 8 Twp 13 S, Rn E thence Northerly along the East boundary of said Frac- "D" a distance of 420 feet to the present City Limits curve having a radius of 1.0 mile, thence Northwesterly along the said curve of City Limits to the West line of said Fraction "D" thence Southerly and along the West line of said Fraction "D" a distance of 815 feet to the Southwest corner of Fraction "D", thence Easterly along the South line of said Fraction "D" to the point of beginning.

That part of Fraction "C" Fractional Section 8 Twp 13 S, Rn 10 E that is situated South of the present City Limits (1.0 Mile Radius) and described as follows:

From the Southeast corner of Fraction "C" Fractional Section 8, Twp 13 S, Rn E thence Northerly along the East boundary of said Fraction "C" a distance of 325 feet to the present City Limits (1.0 mile radius) thence Westerly along the curve of the 1.0 mile Rad. City Limits to the West line of said Fraction "C", thence Southerly and along the said West line of Fraction "C" a distance of 420 feet to the Southwest corner of said Fraction "C", thence Easterly and along the South line of said Fraction "C" to the point of beginning.

That part of Fraction "B" Fractional Section A, Twp 13 S, Rn 10 E situated South of the present City Limits and described as follows:

From the Southeast Corner of Fraction "B" Fractional Section 8, Twp 13 S, Rn 10 E, thence Northerly along the East line of said Fraction "B" a distance of 515 feet to the present City Limits (1.0 mile radius) curve, thence Southwesterly along the 1.0 mile radius curve of the present City Limits to the West line of said Fraction "B", thence Southerly and along the said West line of Fraction "B", a distance of 325 feet to the Southwest corner of said Fraction "B", thence Easterly along the South line of said Fraction "B" to the point of beginning.

All of the SE¼-SW¼ Section 8, Twp 13 S, Rn 10 E.

All of the SW¼-SE¼ Section 8, Twp 13 S, Rn 10 E.

All of the NE¼-NW¼ Section 17, Twp 13 S. Rn 10 E.

All of the NW¼-NE¼ Section 17, Twp 13 S, Rn 10 E.

From the point of intersection of the Southeast right-of-way of the Southern Railway and the South line of Fractional Section 33, Twp 12

S, Rn 10 E, thence Northeasterly along said right-of-way, 50 feet from and parallel to the center of Railway Tracks, a distance of 650 feet to the East line of Fraction 21 Fractional Section 33, Twp 12 S, Rn 10 E, thence Northerly along the said East line of said Fraction 21 a distance of 41.8 feet, which point is 244.2 feet North of the Southeast corner of said Fraction 21, thence an angle of 55 55°-25' left a distance of 1485 feet, which point is 60 feet East of the Northwest corner of Fraction 21, thence continue on the same bearing Northwesterly from said North line of Fraction 21 and the South line of Fraction 20 Fractional Section 33 Twp 12 S Rn 10 E a distance of 80 feet to the West line of said Fraction 20, which point is 52.9 feet North of the Southwest corner of said Fraction 20, thence South along the West line of said Fraction 20 the Southwest corner, which is the Northeast corner of Fraction 24 Fractional Section 32, Twp 12 S, Rn 10 E, thence Westerly along the North line of said Fraction 24 to the Northwest corner thereof, thence Southerly along the West line of said Fraction 24, a distance of 100 feet to the present City Limits (1.0 Mile Radius) thence Southeasterly along the curve of the present City Limits to the point of beginning.

From the Southeast corner of Fraction 7 Fractional Section 32, Twp 12 S, Rn 10 E thence Northerly along the East line of said Fraction 7 a distance of 350 feet, thence Westerly and parallel to the South line of said Fraction 7 to the West line of Fraction 7, thence Southerly along the West line of said Fraction 7 a distance of 350 feet to the Southwest corner of said Fraction 7, thence Easterly along the South line of said Fraction 7 to the point of beginning.

From the Southeast corner of Fraction 15 of Fractional Section 32 Twp 12 S, Rn 10 E, thence Northerly along the East line of said Fraction 15 to the Northeast corner of said Fraction 15, thence Westerly along the North line of said Fraction 15 a distance of 541 feet to the East side of the Shady Grove Road, thence Southerly along the East side of said Shady Grove Road to the South boundary of said Fraction 15, thence Easterly along the South boundary of said Fraction 15 a distance of 950 feet to the point of beginning.

Fraction 9 Fractional Section 32 Twp 12 S, Rn 10 E.

Fraction 10 Fractional Section 32, Twp 12 S, Rn 10 E.

Fraction 16 Fractional Section 32 Twp 12 S, Rn 10 E.

Fraction 17 Fractional Section 32 Twp 12 S, Rn 10 E.

From the Southeast corner of Fraction 13 Fractional Section 31, Twp 12 S, Rn 10 E, thence Northerly along the East boundary of said Fraction 13 to the Northeast corner of said Fraction 13, thence Westerly along the North line of said Fraction 13 a distance of 951.2 feet, thence Southerly and parallel to the West line of said Fraction 13 a distance of 210 feet, thence Westerly and parallel to the North line of said Fraction 13 a distance of 210 feet, thence Southerly and parallel to the West line of said Fraction 13 a distance of 630 feet, thence Easterly and parallel to the South line of said Fraction 13 a distance of 35 feet, thence Southerly and parallel to the West line of said Fraction 13 a distance of 533.4 feet to the South line of Said Fraction 13, thence Easterly and along the South line of Fraction 13 to the point of beginning.

All of said territory lying and being in Calhoun County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil Weatherbee, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Piedmont Journal, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, 1969, June 5, 1969, June 12, 1969, and June 19, all in the year 1969.

CECIL WEATHERBEE.

Sworn to and subscribed before me this 22nd day of June, 1969.

PAUL H. SAVAGE, III,
Notary Public.

My commission expires March 19, 1972.

By Mr. Merrill:

H. 1004. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; and to ratify any such pledges heretofore made.

Judiciary.

By Mr. McLain:

H. 1005. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); an act providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations, so as to exempt the North Alabama Tuberculosis Association from sales and use tax laws.

Judiciary.

By Mr. McLain:

H. 1006. To amend further Section 10, Title 37, Code of Alabama 1940, as amended, relating to the incorporation of municipalities.

Judiciary.

By Mr. McLain:

H. 1007. To amend further Section 704, Title 51, Code of Alabama 1940, as amended, so as to require persons, firms or corporations to make affidavit as to the location of their legal residence.

Judiciary.

By Messrs. Springer, McElhaney, Cameron, Hobbie and Harris:

H. 1008. To amend Act No. 165, No. 215, 1965 Special Session, Vol. I, page 216, approved March 30, 1965, relating to counties having a population of not less than one hunderd fifty thousand nor more than three hundred thousand, fixing the fee for the issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fee.

Local Legislation No. 4.

By Messrs. Haygood, Williams and Hill:

H. 1009. To amend further Code of Alabama 1940, Title 51, Section 707, relating to motor vehicle registration requirements for non-residents, so as to regulate further the exemption from such requirement all non-residents.

Ways and Means.

By Mr. Blanton:

H. 1010. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raised prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Bassett and Hardin (with notice and proof):

H. 1011. Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Local Legislation No. 1.

Notice and Proof H. 1011:

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this Act shall apply only to the City of Troy, in Pike County.

Section 2. The municipal corporation of the City of Troy in Pike County shall have the right to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to residents of said city and surrounding territory.

Section 3. The municipal corporation is authorized to construct, lease, purchase or otherwise acquire television lines or cables for the furnishing of television service from any point in this State or any other State to said municipal corporation and surrounding territory.

Section 4. For the purposes of this Act such municipal corporation may exercise the right to eminent domain. Such eminent domain proceedings shall be conducted in the manner now provided by law.

Section 5. (a) In payment for the purchase, construction, acquisition, extension or maintenance of such television cable system, the said municipal corporation may issue its bonds in the manner provided by law.

(b) Such municipal corporation, in order to secure the prompt and faithful payment of the principal and interest of all debts, bonds or other evidences of indebtedness incurred or issued by it for the construction, acquisition, extension, operation and maintenance of a television cable system may execute a mortgage or deed of trust upon any or all of such system and all property used in connection therewith including the franchise or any part thereof.

(c) Such mortgage or deed of trust may contain such terms, conditions covenants and warranties for the protection of the municipal corporation and holders of such bonds or securities issued by such municipal corporning body of the municipal corporation and persons, firms or corporations owning such debts, bonds or securities.

(d) Such mortgages may provide that in the event of the foreclosure of such mortgage or deed of trust, that the purchaser at such foreclosure sale may acquire the right, privilege and franchise of operating such system as may be so sold or conveyed and such purchaser or his vendee may have the right, authority and privilege to carry on and operate such system in the same manner, on the same terms and to the same extent as the municipal corporation is authorized to operate until the municipal corporation may redeem such system from such mortgage sale.

(e) Such mortgage or deed of trust may provide that during the ownership of the system by the municipal corporation its control of the service of the system shall not be diminished or interferred with by the grant of any other franchise for the operation of any other plant or system for similar purposes; and that such rates and charges shall be established and maintained as are sufficient to meet the cost of operation and maintenance; and such municipal corporation may pledge all of the receipts, earnings and revenues from the operation of the system for the payment of the debts, bonds or other evidences of indebtedness secured by such mortgages or deeds of trust.

Section 6. The municipal corporation furnishing television cable service pursuant to this Act shall have the right to require any person furnishing television cable service to the public in this state to interconnect the television cable lines facilities or systems furnishing such service with or otherwise make available such cables lines facilities or systems to the municipal corporation's television cable, lines, facilities or systems ation as may be determined and agreed upon by the goverin order to provide a continuous line of communication for the municipal corporation's subscribers. In the event such person and the municipal corporation shall be unable to agree upon the terms and con-

ditions of such interconnection, including compensation therefor the Alabama Public Service Commission, upon the request of the municipal corporation, shall establish such terms and conditions which shall be reasonable and non-discriminatory.

Section 7. The municipal corporation shall have all the power and authority necessary and proper to the exercise of the powers conferred on it by this Act and in effectuating the purposes of this Act.

Section 8. For the transaction of business pursuant to this Act, the said municipal corporation shall be exempt from the jurisdiction and control of the Alabama Public Service Commission with respect to such business.

Section 9. All laws or parts of laws in conflict with this Act are repealed.

Section 10. The provisions of the Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
PIKE COUNTY

Before me, Maurine Bryan, A Notary Public in and for said State and County, personally appeared Robert L. Winebarger, who being sworn, deposes and says on oath, that he is the General Manager of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill to be entitled an act, cable television, was published in said newspaper 4 times, the same appearing in the issues dated: May 14, 21, 28, June 4.

ROBERT L. WINEBARGER,
Gen. Mgr.

Sworn to and subscribed before me this the 6th day of June, 1969.

MAURINE BRYAN,
Notary Public.
Pike County, Ala.

By Messrs. Brannan, Springer, Bassett, Laxson, Owen (Baldwin), Lyons, Dobbs, Williams, Robertson, Garrett, Snell, Paulk, Mays and Smith:

H. 1012. To further amend Section 1 of Act No. 87, S. 112, Regular Session of 1961, as amended by Act No. 244, S. 143, Special Session of 1966 (Acts of 1961, Vol. 2, p. 2004, and Acts of 1966, Special Sess. p. 366) "An Act to prescribe the salary or compensation of the Commissioner of Agriculture and Industries."

Ways and Means.

By Messrs. Turnham, Higginbotham and Brassell (with notice and proof):

H. 1013. To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter

amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

Local Legislation No. 1.

Notice and Proof H. 1013:

STATE OF ALABAMA
COUNTY OF LEE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika, in addition to all other taxes now imposed by law, special county privilege license and excise taxes paralleling state sales and use taxes in the manner and at the rates hereafter prescribed:

(1) Upon every person, firm, or corporation (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages of all kinds, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such

machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the state department of revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the state department of revenue, the gross receipts tax herein provided for shall not be levied.

(2) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within such part of Lee County, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a municipal institution or association or a state, a county or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within such part of Lee County, an amount equal to one percent of the gross receipts of any such business.

(3) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to three-eights of one percent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(4) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer, or house trailer an amount equal to three-eights of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein a fee of one dollar and twenty-five cents per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be of such withdrawal, and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or

part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

(5) An excise tax is hereby imposed on—

a. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail, for storage, use or other consumption in such part of Lee County, at the rate of one percent of the sale price of such property, except as provided in subsections (b) and (c).

b. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property purchased at retail at at the rate of three-eights of one percent of the sales price of such machine; provided, that the term "machine" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

c. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail for storage, such part of Lee County, at the rate of three-eights of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as the credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

d. An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a), (b) and (c) of this section, on the storage, use or other consumption in the performance of a contract in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any such tangible personal property, new or used, the tax to be measured by the sales price or the fair and reasonable market value of such tangible personal property when put into use in such part of Lee County, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a), (b) or (c) of this section apply.

Section 2. There are exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there is also exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika tangible personal property purchased at retail shall be liable for the tax imposed, and the liability shall not be extinguished until the tax has

been paid by such person; provided, however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in such part of Lee County shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levied a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 which expressly set forth any exemptions from the computations of the tax levied in said Act No. 100, and all other statutes which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, including all statutes enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

Section 3. The sales tax levied in Section 1 shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues; the use tax levied pursuant to Section 1 shall be due and payable quarterly on or before the 20th day of the month next succeeding each quarterly period during which the storage, use, or other consumption, of the tangible personal property became taxable, each such quarterly period to end on the last day of each of the months of March, June, September, and December. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as the measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Lee County, or its designated agent, at reasonable times during business hours.

Section 4. Every registered seller making sales of tangible personal property for storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale, or, if the storage, use, or other consumption of such tangible personal property in such part of Lee County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each

quarterly period provided for in Section 3 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika need not file a report or make any further payments of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 3.

Section 5. Each person engaging or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in a business subject to the taxes levied in Section 1 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 6. The taxes imposed by this Act shall constitute a debt due Lee County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county taxes levied, and the state department of revenue for the use and benefit of Lee County shall collect such taxes and enforce this Act and shall have the exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and otherwise to enforce the provisions of this Act, including any litigations involving the Act; and the

department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Lee County.

Section 7. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 1 hereof, shall apply to the county tax levied, and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports, and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statues, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties, and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state sales tax statutes, and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable by this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 8. The state department of revenue shall charge Lee County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Lee County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Lee County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Lee County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Lee County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Lee County shall deposit the revenue derived from the taxes levied herein in the public school funds of the county; and the net proceeds derived from the taxes levied by this Act shall be used for general school purposes in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This act shall become effective October 1, 1969.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the Opelika Daily News, a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 10, June 17, June 24, and July 1, all in the year 1969.

W. C. WEAR, JR.

Sworn to and subscribed before me July 14, 1969.

DOROTHY W. MITCHELL,
Notary Public.

By Messrs. Turnham, Higginbotham, Melton, Brassell, Garrett, Laxson, Headley, McCorquodale, Agee, Snell, Paulk, Neville, Stembridge, Crawford, Harper, Collier and Robertson.

H. 1014. To make an appropriation from the state treasury to the use of the agricultural center board for capital outlays.

Ways and Means.

By Messrs. Higginbotham, Turnham and Brassell:

H. 1015. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Judiciary.

By Messrs. Crawford and Stembridge:

H. 1016. Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent Federal Decennial Census.

Local Legislation No. 1.

By Messrs. Stembridge and Crawford:

H. 1017. To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000.

Local Legislation No. 1.

By Messrs. Starnes and Drake:

H. 1018. Relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more

than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit.

Local Legislation No. 1.

By Mr. Marr:

H. 1019. Providing further for admissions of certain lawyers from other states to practice in Alabama pursuant to reciprocal agreements.

Judiciary.

By Messrs. McElhaney and Springer:

H. 1020. Relating to photography; defining and regulating the practice thereof; providing certificates; creating a photographers licensing board; prohibiting certain misrepresentation and deceptions in the industry; and providing penalties.

Judiciary.

By Mr. Drake (with notice and proof):

H. 1021. To alter, or rearrange the boundary lines of the city of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1021:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Municipality of Cullman, in Cullman County, Alabama, are hereby altered, rearranged, and extended to include within the corporate limits of the City of Cullman, Alabama, in addition to the territory now embraced therein, the following described territory situated in Cullman County, Alabama, to-wit:

Beginning at the Northwest corner of the Northeast Quarter of Section 5, Ts. 10 S, Range 3 West; thence South 800 feet; thence East 600 feet to a point on existing Cullman Corporate limits; thence Northwest along the existing Cullman Corporate limits approximately 600 feet; thence Northeast along the existing corporate approximately 600 feet to a point on the present Cullman Corporate limits, being on North boundary of State Highway right-of-way; thence West along the State Highway right-of-way to point of intersection with the West boundary of the Southeast Quarter of Section 32, Ts. 9 S, Range 3 West; thence South along the West boundary of the said quarter section a distance

of 90 feet, more or less to the Southwest corner of said quarter section, being also the point of beginning of the land herein described; and

The North half of the Northwest Quarter of Section 5, Ts. 10 S, Range 3 West; and

The South half of the Southwest Quarter of Section 32, Ts. 9 S, Range 3 West; and

Two hundred feet of even width off of and across the east side of the Southeast Quarter of the Southeast Quarter of Section 31, Ts. 9S, Range 3 West; and

Two hundred feet of even width off of and across the East side of the Northeast Quarter of the Northeast Quarter of Section 6, Ts. 10 S, Range 3 West.

All being in Cullman County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared ROBERT BRYAN, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the CULLMAN TIMES, a newspaper of general circulation published in CULLMAN County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 3, June 10, June 17, and June 24, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me this the 24th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

By Mr. Drake (with notice and proof):

H. 1022. To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1022:

A BILL
TO BE ENTITLED
AN ACT

To alter, or rearrange the boundary lines of the City of Cullman, in Cullman County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the Municipality of Cullman, in Cullman County, Alabama, are hereby altered, rearranged, and extended to include within the corporate limits of the City of Cullman, Alabama, in addition to the territory now embraced therein, the following described territory situated in Cullman County, Alabama, to-wit:

Tract I: Southwest Quarter of Southeast Quarter of Section 34, Ts. 9 S, Range 3 West, which is also known as Lot Number 25 of F. J. Cramption Addition to City of Cullman.

Northwest quarter of Northeast quarter of Section 3, Ts. 10 S, Range 3 West, which is also known as Lot Number 26 of F. J. Cramption Addition to City of Cullman, Alabama.

Southwest Quarter of Northeast Quarter of Section 3, Ts 10 S, Range 3 West. A part of this forty has been plotted and designated as Tanglewood Subdivision to City of Cullman.

Northwest Quarter of Southeast Quarter of Section 3, Ts. 10 S, Range 3 West.

All being in Cullman County, State of Alabama.

Tract II: The Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 17, Ts. 10 S, Range 3 West; and

Four Hundred feet of even width off of and across the East side of the Southwest Quarter of the Northwest Quarter of Section 17, Ts. 10 S, Range 3 West; and

All that part of Northwest Quarter of Southeast Quarter and of the Northeast Quarter of the Southwest Quarter, Section 17, Ts. 10 S, Range 3 West, lying and being North of the South R-O-W of Highway 278; and

A part of the Northwest Quarter of the Southwest Quarter of Section 17, Ts. 10 S, Range 3 West, being more particularly described as follows: Beginning at the Northeast Corner of said forty; thence West along the North forty line 400 feet; thence South 480 feet along a line parallel to and 400 feet West of the East forty line to a point on the South R-O-W of Highway 278; thence North and East along said R-O-W to a point on the East line of said forty; thence North along the East forty line back to the point of beginning; and

A part of the Southeast Quarter of Northeast Quarter of Section 17, Ts. 10 S, Range 3 West, being more particularly described as follows: Beginning at intersection of the North R-O-W of Highway 278 and the East line of said forty; thence North along the East forty line 25 feet; thence West along a line parallel to and 25 feet North of the North R-O-W of Highway 278 to a point on the West forty line; thence South along the West Forty line 25 feet to a point on the North R-O-W of Highway 278; thence East along the North R-O-W of Highway 278 back to the point of beginning; and also

All that part of the Northeast Quarter of the Southeast Quarter of Section 17, Ts. 10 S, Range 3 West, lying and being North of the South R-O-W of Highway 278.

All being in Cullman County, State of Alabama.

Tract III: A part of Southeast Quarter of Southeast Quarter and of Southwest Quarter of Southeast Quarter, Section 5, Ts. 10 S, Range 3

West, described as follows, to-wit: Beginning at Northeast corner of Southwest Quarter of Southeast Quarter, Section 5, Ts. 10 S, Range 3 West; thence running West along forty line 176 feet; thence turning an angle of 89° 54' and running South 550 feet to point on South line of Lake David Drive; thence East along South line of Lake David Drive 176 feet to point on East line of said forty; thence continuing East approximately 604 feet along South line of Lake David Drive into the Southeast Quarter of Southeast Quarter of Section 5, Ts. 10 S, Range 3 West and across Highway 157 to point on present corporate limits of City of Cullman being on the East R-O-W of Highway 157; thence North along said corporate limits and East R-O-W approximately 600 feet to a point on the North line of said forty; thence West along said North forty line approximately 375 feet back to point of beginning. Including within this description Lots 1 through 13 inclusive of the Ragsdale Subdivision as shown on plat thereof in the Probate Office of Cullman County, Alabama, and other lands.

All being in Cullman County, State of Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared ROBERT BRYAN, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the CULLMAN TIMES, a newspaper of general circulation published in CULLMAN County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, June 8, June 15, all in the year 1969.

ROBERT BRYAN.

Sworn to and subscribed before me this the 24th day of June, 1969.

SUE EVANS,
Notary Public.

My commission expires May 21, 1972.

By Mr. Tuck:

H. 1023. Relating to counties having a population of not less than 21,850 nor more than 21,950; increasing the salary of the deputy solicitor in such counties.

Local Legislation No. 1.

By Messrs. Wood, Collins (C) and Perloff (with notice and proof):

H. 1024. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Local Legislation No. 3.

Notice and Proof H. 1024:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, extend and rearrange the boundary lines of the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Saraland, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Saraland and in addition thereto the following described territory, to-wit:

Parcel 1. That parcel of land lying and being situate in Sections 15 and 16, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

Beginning at the northwest corner of said Section 15, thence run Easterly along the north line of said section a distance of 429 feet, more or less, to a point on the East right of way line of U.S. Highway 43, which point lies on the southern boundary of the existing City Limits of the City of Saraland, Alabama; thence run South 02°-07'-45" West along the East right of way line of U.S. Highway 43 a distance of 2010 feet, to a point; thence run due West a distance of 1180 feet, more or less, to a point that is on the center line meander of Chickasaw Creek; thence run upstream in a Northerly and Westerly direction along the center line meander of Chickasaw Creek a distance of 8500 feet, more or less, to a point on the West boundary line of said Section 16; thence run Northerly along the West boundary of said Section 16 a distance of 940 feet, more or less, to the Northwest corner of Section 16; which point lies on the Southern boundary of the existing City Limits of the City of Saraland, Alabama; thence run Easterly along the North boundary line of said Section 16 (which is along the Southern boundary of said City Limits) a distance of 5280 feet, more or less, to the Northeast corner of Section 16, which point is also the Northwest corner of said Section 15, the initial point of beginning.

Parcel 2. That parcel of land lying and being situate in irregular Section 5 and regular Section 8, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

Beginning at a point on the north line of said Section 5 220 feet, more or less, Westerly from the northeast corner of said Section 5, said point being also on the centerline of U.S. Interstate Highway 65 and also on the present boundary line of the City of Saraland; thence run South along the present boundary line of the City of Saraland 640 feet, more or less, to a point on the centerline of Norton Creek; thence run Southwesterly along said centerline of Norton Creek 290 feet, more or less, to a point on the Easterly right of way line of U.S. Interstate

Highway 65; thence run South 33°48'38" West along said Easterly right of way line of U.S. Interstate Highway 65 1580 feet, more or less, to a point at a corner of the present corporate, limits; thence run South 46° 06'22" East along the present municipal boundary line a distance of 2047 feet, more or less, to a point at a corner of the present corporate limits; thence run South 62°02'30" West along the present municipal boundary line a distance of 1166.62 feet to a point; thence run South 41°46' West along the present municipal boundary line a distance of 1402.41 feet to a point; thence run North 00°27' West along the present municipal boundary line a distance of 228.85 feet to a point; thence run South 41°44' West along the present municipal boundary line a distance of 414.52 feet to a point; thence run South 34°06' West along the present municipal boundary line a distance of 2180 feet to a point on the centerline of U.S. Interstate Highway 65; thence run Northeasterly along said centerline of U.S. Interstate Highway 65 a distance of 7813.58 feet to the point of beginning.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issues of The Mobile Register June 19, 26, July 3, 10, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 10th day of July, 1969.

S. S. GATLIN,
Notary Public.

By Mr. Hardin:

H. 1025. Relating to counties having populations of not less than 24,525 and not more than 24,675; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Local Legislation No. 1.

By Messrs. Shumate and Dobbs:

H. 1026. Relating to counties having populations of not less than 51,000 nor more than 56,000; authorizing appropriations from the treasury of any such county for the relief of C. F. Pruitt and Quillian Benson.

Local Legislation No. 1.

By Messrs. Pruitt and Manley (with notice and proof):

H. 1027. Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Local Legislation No. 1.

Notice and Proof H. 1027:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Be It Enacted by the Legislature of Alabama:

Section 1. The members of the board of registrars of Perry County are relieved of the duty of visiting the precincts and voting places in the performance of their official duties as provided in Code of Alabama 1940, Title 17, Section 26, as amended; and in lieu thereof shall meet, for the purpose of registering voters, at the courthouse and in the other incorporated towns of the county for such number of the allotted days at each place as they deem reasonable.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Albert Stewart, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the The Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

ALBERT STEWART.

Sworn to and subscribed before me July 10, 1969.

ELIZABETH F. STEWART,
Notary Public. Perry County, Ala.

By Mr. Holladay (with notice and proof):

H. 1028. Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Local Legislation No. 1.

Notice and Proof H. 1028:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. A county privilege license or excise tax is hereby imposed upon every seller, distributor, storer or user of any malt or brewed beverages (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume) in St. Clair County. The tax shall be an amount equal to one cent on each four fluid ounces, or fractional part thereof, of malt or brewed beverages sold, used, consumed or distributed in the county. The tax shall be in addition to all other taxes heretofore or hereafter levied on such beverages; provided, that where the amount of the tax imposed by this act shall have been paid to the county by any seller, distributor, dealer, or user, such payment shall be sufficient, the intent being that the tax levied by this act shall be paid but once.

Section 2. The privilege or license tax authorized herein shall be collected by or under the supervision and control of the county governing body who shall be solely responsible for the administration of this act. Said body shall provide rules and regulations and administration machinery for the enforcement and collection of the tax levied, and shall provide for devices for affixing stamped impressions on lids and crowns to be used in evidence of payment of the tax, and provide proper forms requiring sufficient information and proof, to be verified by the oath of any seller, distributor, dealer, or other user claiming exemption from payment of the tax on account of purchases made from others who have paid the tax imposed by this act. The county governing body shall be authorized to employ such personnel and inspectors to assist in the administration and enforcement of this act as may be deemed necessary. It shall be the duty of the Sheriff and other duly constituted officers of St. Clair County and municipalities therein to enforce the provisions of this Act, & nothing therein shall be interperted as relieving them of such duty.

Section 3. Each and every distributor or seller of malt or brewed beverages shall, on or before the 15th day of the first full calendar month after the effective date of this act, and on or before the 15th day of each calendar month thereafter, file with the county governing body a written statement sworn to and subscribed by each distributor or seller, showing the name and address of such distributor or seller, each and every purchase, receipt or procurement of malt or brewed beverages made by such distributor or seller during the calendar month next preceding, together with the name and address of the producer, distributor, seller or other person from whom purchased, received or procured, the brand or brands of such malt or brewed beverages, the quantity of each kind, the size and kind of containers of each brand of such malt or brewed beverages, the date or dates on which purchased, received or procured, and a detailed, itemized statement showing the name and address of each distributor or seller or other person to whom any malt or brewed beverages were sold, distributed or delivered by such distributor or seller, together with the quantity of each brand of malt or brewed beverages sold, distributed or delivered to each, the size and kind of containers for each brand of such malt or brewed beverages and the date or dates on which sold, distributed or delivered. A copy of such statement shall also be furnished to each municipality within the county.

(b) Any distributor or seller failing, refusing or omitting to file the statements herein prescribed shall be guilty of a misdemeanor, and each day such default continues shall constitute a separate offense.

Section 4. It shall be unlawful for any distributor or seller to make any sale, distribution or delivery of malt or brewed beverages within the county without first having obtained a permit to do so from

the county governing body and also obtaining a business license from each municipality in which sale, distribution or delivery is to be made, provided, however, that nothing contained in this section, or in any other part of this act, shall authorize any sale, distribution or delivery of malt or brewed beverages within the county, if such sale, distribution or delivery is prohibited by any other law of this State.

Section 5. (a) It shall be the duty of any person subject to the license tax imposed by this act to keep full and complete records of all purchases, sales receipts, inventories and all other matters from which the correct amount of license tax to which such person is subject may be ascertained; in the event that such person should discontinue his business, he shall not destroy or dispose of such records until he shall have given to the county governing body thirty days' notice in writing of his intent to destroy or dispose of such records. The county governing body or its duly authorized agent is authorized to inspect such records and to make copies of such parts of same as he may deem desirable or proper. The failure to keep such records, or destruction without giving the prescribed notice, shall constitute a misdemeanor, punishable in accordance with law.

(b) Upon demand by the county governing body or its authorized deputy or agent, auditor or representative, it shall be the duty of any person subject to the license tax imposed by this act, to furnish, without delay, all such information as may be required for determination of the correct amount of license tax to which such person is subject, and to that end it shall be the duty of such person to submit to such demanding person, for inspection and examination during reasonable business hours and at such person's place of business, all books of account, invoices, papers, reports, sales, receipts, inventories and any other information from which the correct amount of license tax to which such person is subject, may be determined, including herein the exhibition of bank deposit books and bank statements. Any person failing or refusing to submit such records for such inspection or examination upon lawful demand shall be guilty of a misdemeanor, punishable according to law.

(c) Should any person subject to the provisions of this act not keep and have in his possession or control correct and detailed books of account, invoices, papers, reports or memoranda correctly showing the date and information necessary for the determination of the correct amount of the license tax due, and the required information as to sales in the several tax areas; or, if, having the same in possession or under control such person shall fail or refuse to submit and exhibit same for inspection and examination as herein required, then and in that event it shall be the duty of the county governing body to ascertain from such information and data as it may reasonably obtain the correct amount of license tax due from such person and to assess the same against such person and give to such person notice of such assessment and demand of him immediate payment of the amount thereof. If such amount be not paid within ten days after receipt of notice and demand for payment, then such failure to pay shall constitute a misdameanor, and each day of delay in payment shall constitute a separate offense.

(d) The tax shall be paid by each distributor or seller when he makes his report as required in section 3 or when he buys his decals or other devices from the county governing body.

Section 6. (a) It shall be the duty of the county governing body to prepare such forms as may be necessary for use by sellers and distributors of malt or brewed beverages in complying with the provisions of this act, and to furnish the same to such distributors or sellers as they may be required.

(b) It shall be the duty of the county governing body to enforce the provisions of this act, and to that end its duly appointed agent is authorized to enter lawfully any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages, and to inspect the containers of malt or brewed beverages in the retailer's possession, for the purpose of determining whether or not there be any containers not having affixed the decal or other device contemplated by this act. It shall be lawful also for any police officer or a deputy sheriff to enter lawfully any such retail establishment for the said purpose of inspection and determination of whether or not there be on hand any untaxed malt or brewed beverages.

Section 7. Unlawful Acts. Among others the following acts shall be unlawful and punished as misdemeanors:

(a) It shall be unlawful for any person required by this act to affix decals or other similar devices to containers containing malt or brewed beverages, to fail to affix such decals or other devices.

(b) It shall be unlawful for any person to sell, offer to sell or deliver within the county any malt or brewed beverages to which decals or other devices have not been affixed as provided by this act.

(c) It shall be unlawful for any person to have in his possession or under his control a container of malt or brewed beverages without the proper decal as required by this act.

(d) It shall be unlawful to manufacturer, buy, sell, offer for sale or possess or to attempt any reproduction or counterfeit decals or other devices provided for in this act or to possess tolls; implements, instruments or materials of any kind necessary or appropriate to reproduce or counterfeit such tools o devices o to alter or cause to be altered any decal or other devices provided for by this act.

(e) It shall be unlawful to remove from a container of malt or brewed beverages or other wise prepare any decals or other device with intent to use or cause the same to be used after it has already been used; to buy, sell or offer for sale or give away any washed, removed, altered or restored decales or other devices to any person or to have in possession any such washed or removed or restored or altered decals or other devices, or for the purpose of indicating the payment of any tax hereunder, to reuse any tax decal or other device which has heretofore been used evidencing the payment of any tax provided for in this act or except as to the governing body of St. Clair County to sell any decal or other device provided for in this act.

(f) It shall be unlawful to reuse or refill with malt or brewed beverages any container from which malt or brewed beverages theretofore tax paid have been removed.

Section 8. Any inspector employed under the provisions of this act or any sheriff or any deputy sheriff or any municipal police officer shall have authority to seize without warrant any and all containers of malt or brewed beverages not bearing a decal or other device as provided in Section 9 of this act. After such seizure of any undecaled or improperly decaled malt or brewed beverages, such undecaled or improperly decaled brewed beverages are hereby declared to be contraband goods, and upon such confiscation shall be delivered to the Chairman of the Court of County Commissioners for sale at public auction to the highest bidder after due advertisement; the proceeds of the sale of any such malt or brewed beverages sold hereunder after paying all costs shall be distributed as provided under Section 10 of this act. The Chairman of the Court of County Commissioners upon receiving said malt or

brewed beverages shall proceed as follows: First, he shall cause a list containing a particular description of the malt or brewed beverages seized showing the quantity of each brand, the date or dates on which confiscated, and the person or persons from whom confiscated, to be prepared in duplicate. The said Chairman of the Court of County Commissioners shall proceed to post a notice for three weeks in writing at three places in the county that the seizure was made, describing the malt or brewed beverages seized and the quantity of each brand and stating the time and place and cause of their seizure, and requiring any person claiming such malt or brewed beverages to appear and make such claim within twenty-one days from the date of the first posting of such notice. Second, any person claiming such malt or brewed beverages so seized as contraband within the time specified in the notice may file with the Chairman of the Court of County Commissioners a claim in writing stating his interest in the malt and brewed beverages seized and shall execute a bond to the Chairman of the Court of County Commissioners a claim equal to double the value of the malt and brewed beverages so seized, but in no case shall the said bond be less than the sum of $100.00 with sureties to be approved by the Chairman of the Court of County Commissioners and conditioned that in the case of condemnation of the malt and brewed beverages, the obligator shall pay to the Chairman of the Court of County Commissioners for the benefit of St. Clair County, Alabama the full value of the malt or brewed beverages so seized, and all costs or expenses of the proceedings to obtain such condemnation, including a reasonable attorney's fee. Upon the delivery of such bond to the Chairman of the Court of County Commissioners he shall transmit the same with the duplicate list or description of the malt and brewed beverages so seized to the county attorney or to the District Attorney of the county, and he said county attorney or District Attorney shall file a bill in the Circuit Court in Equity to secure the forfeiture of said malt or brewed beverages and containers in which seized. Upon filing the bond as aforesaid, the said malt or brewed beverages shall be delivered to the claimant pending the outcome of said case, provided, however, the proper license tax must be paid by the claimant before said malt or brewed beverages are delivered to him by the Chairman of the Court of County Commissioners. Third, if no claim is interposed or no bond given within the time above specified, such malt or brewed beverage shall be forfeited without further proceedings and the same shall be sold to the highest bidder. In addition to said bid, said purchaser shall pay the tax on said malt or brewed beverages as provided for by this act. The proceedings against such malt or brewed beverages pursuant to the provisions of this act shall be considered as proceedings in rem.

Section 9. Collection of the tax may be accomplished in this fashion:

The governing body may procure decals or other devices susceptible of being affixed, with measurable permanence, to containers of malt or brewed beverages to be taken from storage distributed or sold, each of which decals or other devices shall bear in legible characters a notation that it evidences the payment of the tax levied by this act, and may procure such forms and other printed matter and materials as may be necessary in the administration of this act. Decals or other devices may be furnished to each seller or distributor of malt or brewed beverages, upon his request therefor and payment of the amount of tax corresponding to the stated value of the decals or other devices that he procures, less an eight per cent (8%) discount; provided, however, that such decals or other devices shall be sold and furnished to wholesalers only. Each distributor or seller must affix to each container of malt or brewed beverages the appropriate decals or other devices before the same is taken from storage, sold or delivered.

Section 10. The proceeds of the tax imposed by this act shall be paid into the General Fund in the County Treasury and the proceeds of such tax shall be disbursed out of the County Treasury as follows:

There shall be paid to each municipality on or before the 25th day of each month an amount equal to 1/3 of 1c on each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used, consumer, or distributed within the corporate limits of such municipality plus 1/6 of 1c of each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used, consumed, or distributed within the police jurisdiction of such city. After the payment to the municipalities as set out above, the county treasury shall on or before the 25th day of each month pay ½ of the remaining tax to the St. Clair County Board of Education. Prior to the issuance of payment to the municipalities and the St. Clair County Board of Education as set out above there shall be calculated the expense of collecting the tax provided for in this act and each municipality, the St. Clair County board of Education and St. Clair County shall bear its prorata share of such expenses upon the amount to be received by each from the proceeds of said tax. Said prorata share of the expense of collecting said tax shall be deducted prior to the disbursement of any monies to any municipality, St. Clair County Board of Education and St. Clair County.

Section 11. Any person, firm, or corporation who violates any provision of this act or the rules and regulations as may be provided by the county governing body shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

Section 12. Any person, firm, or corporation who fails to pay the tax herein levied within the time prescribed in the rules and regulations promulgated by the county governing body shall pay, in addition to the tax, a penalty of ten per cent of the amount of tax, together with interest thereon at the rate of one-half of one per cent per month or fraction thereof, from the date at which the tax herein levied becomes payable, such penalty and interest to be assessed and collected as a part of the tax.

Section 13. There are hereby repealed all existing ordinances of all municipalities within such county whereby and to the extent that the same levy license taxes upon or for the right or privilege of selling, delivering, distributing, handling or otherwise dealing in or with malt or brewed beverage, but nothing herein contained shall be construed to evidence an intent to abridge or impair the power of the governing body of any such municipality to re-enact any ordance hereby repealed or to enact any new or different ordinance whereby license taxes may be levied upon or for the right or privilege of selling, delivering, distributing, or otherwise dealing in or with such beverages, but every governing body shall retain such power to the full extent now or hereafter conferred upon it by any statute of Alabama, unimpaired by anything contained in this act.

Section 14. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 15. All laws or parts of laws which conflict with this act are repealed.

Section 16. This act shall become effective on the first day of the calendar month immediately following its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1969.

E. R. BLAIR,
Publisher.

Sworn to and subscribed before me July 14, 1969.

SARA S. BELL,
Notary Public.

By Mr. Holladay:

H. 1029. Relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Local Legislation No. 1.

By Mr. Holladay:

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

Local Legislation No. 1.

By Mr. Holladay:

H. 1031. To amend Code of Alabama 1940, Title 14, Section 399, which prescribes the penalty for having carnal knowledge of a girl over twelve and under sixteen years of age.

Local Legislation No. 1.

By Messrs. Wood, Collins (C) and Perloff (with notice and proof):

H. 1032. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Local Legislation No. 3.

Notice and Proof H. 1032:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENACTED
AN ACT

To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Chickasaw, Mobile County, Alabama, be, and the same are hereby altered, extended and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Chickasaw and in addition thereto the following described territory, to-wit:

All that parcel of land lying and being situate in Sections 15 and 16, Township 3 South, Range 1 West, Mobile County, Alabama, more particularly described as follows:

From the Northwest corner of said Section 15, run Easterly along the North line of said Section a distance of 429 feet, more or less, to a point on the East right of way line of U.S. Highway 43, which point lies on the southern boundary of the 1968 City Limits of the City of Saraland, Alabama; thence run South 02°-07'-45" West along the East right of way line of U.S. Highway 43 a distance of 2010 feet to a point, which point is the point of beginning of the parcel herein described, thence run due West a distance of 1180 feet, more or less, to a point that is on the center line meander of Chickasaw Creek; thence run upstream in a Northerly and Westerly direction along the center line meander of Chickasaw Creek a distance of 13,850 feet, more or less, to a point which is the common point of intersection of the center line of Chickasaw Creek, the western right of way line of U.S. Interstate Highway 65 and the eastern boundary line of the City of Prichard, Alabama; thence run southeastwardly along the western right of way line of said U.S. Interstate Highway 65 a distance of 5,200 feet to the point of intersection with the existing boundary line of the City of Chickasaw; thence run eastwardly, northwardly and eastwardly along the existing boundary line of the City of Chickasaw to a point of intersection with the west boundary line of said Section 16 3960 feet, more or less, south of the northwest corner of said Section 16; thence run South along the West boundary of said Section 16 which is along the boundary of said City Limits for a distance of 610 feet, more or less, to the point of intersection with the center line of Eight Mile Creek; thence run in a general northerly direction along and with the meander of said center line of Eight Mile Creek, which is along the boundary of said City Limits, to the point in said center line that is 1400 feet Northwardly from the South boundary of Section 16, measured at right angles to said South boundary; thence in an Easterly direction parallel to and 1400 feet from the South boundary of said Section 16, run along the boundary of said City Limits to a point on the East bank of said Eight Mile Creek; thence run along the boundary of said City Limits Northerly and Easterly along the meanderings of the said East bank of Eight Mile Creek to its junction with the West line of Chickasabogue; thence Southeasterly along and with the meanderings of said Chickasabogue, which line is the said City Limits, to its junction with the West line of U.S. Highway 43; thence continue Easterly along the South bank of said Chickasabogue for a distance of 210 feet, more or less, to its junction with the East right of way line of U.S. Highway 43; thence run North 02°-07'-45" East along the East right of way line of U.S. Highway 43 a distance of 2010 feet to the initial point of beginning on the East right of way line of U.S. Highway 43.

Section 2. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

E. E. Koch being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register, daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issues of The Mobile Register June 19, 26, July 3, 10, 1969.

E. E. KOCH.

Sworn to and subscribed before me this 10th day of July 1969.

S. S. GATLIN,
Notary Public.

By Mr. Drake:

H. 1033. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the last or any subsequent federal decennial census; to provide for the compensation of the members of the jury commission in such counties.

Local Legislation No. 1.

By Messrs. Merrill, Lybrand and Burgess (with notice and proof):

H. 1034. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

Local Legislation No. 1.

Notice and Proof H. 1034:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

AN ACT

To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of alley, that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passageway constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, shall be, and is hereby expressly given the right to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley. Said construction shall connect the building now occupied by said Telephone Company on the West side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley.

Section 2. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, in granting authority and permission for said construction, shall be authorized to prescribe the width of said building, or portion thereof, constructed over and above said alley and the width of said passage-way under said alley, but said authorized width shall not exceed the width of the building now occupied by said Telephone Company on the west side of said alley.

Section 3. That the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, in granting authority and permission for said construction, shall be authorized to prescribe the height from the top surface of said alley that the bottom of said building, on portion thereof, constructed over and above said alley shall be, but such height shall not be less than 14 feet.

Section 4. That the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, on portion thereof, or said passage-way.

Section 5. That in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, all parts of said alley included within the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passageway constructed under said alley, shall be, and are hereby, expressly vacated, and all rights of the public, including any property owners in said Block 4, in said vacated portion of said alley shall be, and are hereby, expressly divested. The City of Anniston shall not be liable in damages in any manner by reason of said vacation.

Section 6. That each section, clause and provision of this Act shall be separate and separable, and if any one or more of such sections, clauses or provisions should for any reason be declared unconstitutional, or invalid, it shall not affect the remaining portions of said Act, which shall remain and be of legal and binding effect.

Section 7. That this Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CALHOUN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Phillip A. Sanguinetti, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the The Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1969.

PHILLIP A. SANGUINETTI.

Sworn to and subscribed before me 14th of June, 1969.

LOLA J. BRIGHT,
Notary Public.

By Messrs. Robertson and Brown (with notice and proof):

H. 1035. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1035:

LEGAL NOTICE

SATATE OF ALABAMA
TUSCALOOSA COUNTY

Notice is hereby given pursuant to Section 106 of the Constitution of Alabama 1901 that application will be made to the Legislature of

Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Northport, in Tuscaloosa County, State of Alabama, be and the same hereby are altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Northport and in addition thereto the following described territory, to-wit:

Parcel One: Begin at a point 100 feet North of the old U.S. Highway 82 Right-of-Way on the present city limits of Northport and proceed in a Westerly direction parallel with the Old U.S. Highway 82 Right-of-Way across land belonging to Joe Shirley to land belonging to A.S.A. Roundtree; this land lies 853.31 feet West of the Southeastern corner of the Northwest quarter of the Southwest quarter of Section 16, Township 21 South, Range 10 West; at property line turn North and proceed for a distance of 366.69 feet parallel to said section lines; turn West and proceed for a distance of 466.69 feet to Western side of the Northwest quarter of the Southwest quarter of Section 16, Township 21 South, Range 10 West; thence proceed along said line in a Southerly direction for a distance of 366.69 feet; thence turn West on a line 100 feet North of Old U.S. Highway 82 Right-of Way and proceed to the intersection with the East boundary of the M.A. Chism Subdivision as recorded in Plat Book 5 at Page 186 and Page 156; thence Northerly and thence Westerly around M.A. Chism Subdivision to the intersection with Van deGraff Airport property line; thence in a Southerly direction along airport property line to the intersection with the center line of River Road; thence in a Southwesterly direction along airport to a point on line with the Western boundary of the Carter Subdivision No. 2 as recorded in Plat Book 7 at Page 4; thence around the Carter Subdivision No. 2 to the Southeast corner of said subdivision; thence turn South along Eastern line and continue South for a distance of 150 feet; thence turn in an Easterly direction and run for a distance of 430 feet; thence turn North parallel to the Eastern boundary line of Carter Subdivision No. 2 and run a distance of 467 feet back to the intersection with River Road right-of-way; thence Northeasterly along the right-of-way to intersection with Old U.S. Highway 82 right-of-way; thence Easterly along right-of-way to the Intersection with Northport city limits, all of the above real property being located in Tuscaloosa County, Alabama.

Parcel Two: Begin at the Northeast corner of Section 8, Township 21 South, Range 10 West and run thence South 5 degree East along the section line for a distance of 358 feet to the actual point of beginning, which is the Northeast corner of this parcel of property; thence continue to run in a Southern direction along the section line for a distance of 113.2 feet to a point which is another corner of this parcel of property; thence turn right 59 degree and 5' and run in a Southwestern direction in a straight line to a point on the East or Northeast boundary line of U.S. Highway No. 43; thence turn in a Northern or Northwestern direction along the East or Northeastern boundary line of the right-of-way of U.S. Highway 43 to a point which is 105 feet on a perpendicular

from the Southeast boundary line of this parcel of property; thence run in a Northeastern direction for a distance of 475 feet; more or less, to the first named corner of this parcel of property. It is the intention to herein describe and convey a parcel of land which is 105 feet in width, the strip being no wider than 105 feet in any place.

Parcel Three: Start at the Southeast corner of Lot No. One of Vestavia Hills Subdivision, as recorded in Plat Book 7 at Pages 177 and 178, and run at right angles to Hunter Creek Road for a distance of 80 feet to the East margin of the road, being the point of beginning, which is the Southwest corner of the lot belonging to Robert Hamner; thence turn left 90 degrees and run 80 feet to the Northwest corner of Lot herein described; thence turn right 92 degree 4' and run a distance of 163.2 feet to the Northwest corner; thence turn right 86 degree 4' and run a distance of 80 feet to the Southwest corner; thence turn right 93 degree 56' and run to the point of beginning, all being in the Southeast quarter of the Northeast quarter of Section 10 Township 21 South, Range 10 West in Tuscaloosa County, Alabama.

Parcel Four: Begin at the Northwest corner of the Northeast One-Fourth of the Southwest One-Fourth of Section 10, Township 21 South, Range 10 West, and run in a Southern direction along the West Boundary line of the said Northeast One-Fourth of the Southwest One-Fourth for a distance of 426.1 feet to a point which is in the center of 28th Street in the City of Northport, Alabama; thence run in an Easter direction along the center line of 28th Street for a distance of 298 feet to a point, which is the Southwest corner of this parcel of property; thence continue to run in an Eastern direction along a prolongation of the center line of 28th Street for a distance of 300 feet to a point; which is the Southeast corner of this parcel of property; thence turn left 90 degrees and run in a Northern direction for a distance of 671 feet to a point on the Southern boundary line of the right-of-way of U.S. Highway No. 82 (sometimes called U.S. Highway 82 By-Pass), which point is the Northeast corner of this parcel of property; thence return to the Southwest corner of this parcel of property and run in a Northern direction, making an inside angle of 90 degree and along the East boundary line of Longview Subdivision, a map or plat of which is on record in the Probate Office of Tuscaloosa County, Alabama, in Plat Book 10 at Page 31, for a distance of 719.6 feet to a point on the Southern boundary line of the right-of-way of U.S. Highway No. 82; thence run in an Eastern direction and along the Southern boundary line of the right-of-way of U.S. Highway No. 82 for a distance of 303 feet, more or less to the Northeast corner of this parcel of property.

Parcel Five: Lot Number Eleven (11) of the Five Points Subdivision Survey by Mr. E. L. Hendrix for J. R. Faucett, recorded on Page 196 in Plat Book 5 and dated February 8, 1947, located in the Northwest quarter of the Northwest quarter of Section 9, Township 21 South, Range 10 West in Tuscaloosa County, Alabama.

Parcel Six: A certain lot or parcel of land containing two acres, more or less, in the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 9, Township 21, Range 10 West, described more particularly as follows:

Beginning at the Southwest corner of the said Forty acre tract, run thence North four chains; thence East five chains; thence South four chains; thence West five chains to the point of beginning, being the same property conveyed to Will High by Frank Rice by deed dated November 2, 1923, less one acre, sold to John Jackson.

Parcel Seven: Beginning at the Northwest corner of the Northeast Quarter of the Northeast Quarter of Section 10, Township 20 South, Range 10 West, which is the point on the line of the present city limits;

thence around the perimeter of the Northeast Quarter of the Northeast quarter so as to include this forty (40) acres, complete.

Parcel Eight: Begin at point where the East boundary line of the SW¼ of the NW¼ of Sec. 16, Township 21 South, Range 10 West intersects South right-of-way line of G.M. & O.R.R.; thence SE along railroad right-of-way a distance of 415.5 feet to a point; thence a deflection angle of 118 degree 21' and proceed SW a distance of 408.8 feet to a point; thence turn a deflection angle of 45 degree 9' to right and run a distance of 820.9 feet to point. Thence turn a deflection angle to right 92 degree 00' and run a distance 615 feet North to a point on South right-of-way line of G.M. & O.R.R.; thence turn a deflection angle of 104 degree 30' to the right and run a distance of 721.5 feet back to point of beginning.

The property described herein is Quinntown Subdivision, a plat of which is recorded in Plat Book 6 at Page 26 in the Probate Office of Tuscaloosa County, Alabama.

Parcel Nine: Beginning at the Northeast corner of the Carriage Hills Subdivision as recorded in Plat Book 10 at Page 55, which subdivision is in corporated in the present City Limits.

Thence North along the Section line between Sections 10 and Section 11 to the South right-of-way line of U.S. 82 By-Pass;

Thence west along the South right-of-way line of said highway to the point where the West line of the Southeast ¼ of the Northeast ¼ intersects the South right-of-way line, said point being in the present City limits.

Said property being in Section 10, Township 21 South, Range 10 West.

Parcel Ten: Begin at existing City Limits of Northport, Alabama, on Park Street (Watermelon Road) on West Section line of SW¼ of SW¼ Township 21 South, Range 10 West, Section 11, and run along East right-of-way of Watermelon Road in a Northeasterly direction for a distance of 35,500 feet, more or less, to intersection of yellow line on North River Reservoir (now under construction) in the SW¼ of SW¼ of Township 21 South, Range 9 West, Section 19, thence turn left and run along yellow line to intersection of West right-of-way of Watermelon Road, thence turn left and run along said West right-of-way in a Southwesterly direction for a distance of 35,500 feet, more or less, to the intersection of City of Northport City Limits. The above land being in Tuscaloosa County, Alabama.

Parcel Eleven: Start at Southwest corner of the SE¼ of Section 10, Township 21 South, Range 10 West, Tuscaloosa County, Alabama, run North along West SE¼ line to the North right-of-way of Park Street to the point of beginning run North along SE¼ line for a distance of 800' more or less to a point, then turn in a North-Northeasterly direction and run for a distance of 174 feet more or less to NW corner of a 2 acre Parcel belonging to Mrs. Ruth Hyche, thence run along NW property line for a distance of 210 feet to Northmost corner of said Parcel, then turn a 90 degree 00' angle right and run for 420 feet to North boundary of Park Street then run along said North boundary of said Park Street in a Southwesterly direction to point of beginning.

Parcel Twelve: From the SW corner of the SE¼ of Section 10, Township 21, Range 10, Tuscaloosa County, Alabama, run Westwardly along the South boundary line of said Section 10 and the North boundary line of Section 15 ten feet to the point of beginning; thence at a deflection angle of 70 degree 45' to the right 119 feet along the Eastern boundary line of property devised herein above to George Rose, Erin

Cruse Rose, and Annie Lou Rose, to a point on the South margin of the new Watermelon Road; thence 39 feet in an Easterly direction along the South margin of the new Watermelon Road to a point on the half-section line, thence South along the half-section line a distance of 20 feet to a point; thence at a deflection angle of 136 degree 25' to the left run 254 feet to a point on a small branch; thence follow the direction of the center of said branch to a point which is at a distance of 165 feet at a deflection angle of 79 degree 50' to the right; thence at a deflection angle of 62 degree 15' to the right run a distance of 286 feet to a point on the South boundary line of said Section 10 and the North boundary line of said Section 15 which point is 272 feet from the SW corner of the SE¼ of said Section 10; thence run in an Easterly direction along the South boundary line of Section 10 and the North boundary line of Section 15 149.4 feet to a point; thence at a deflection angle of 133 degree 45' to the right run 445.8 feet to a point; thence at a deflection angle of 113 degree 10' to the right run 343 feet along the Eastern boundary line of the George Rose, Erin Cruse Rose and Annie Lou Rose tract to the point of beginning.

Less and Except: That part conveyed to George Rose by Viola R. Holcomb and her brother, Joseph E. Rose in 1959.

Parcel Thirteen: Beginning at the point where Hargrove Creek crosses U.S. Highway 82 By-Pass (Present City Limit) a strip of land 200 feet wide inside the right-of-way of Highway 82 and extending on the West along this right-of-way a distance of 9,800 feet to the Flatwoods Road.

Parcel Fourteen: Parcel A: Begin at the Northeast corner of lot formerly deeded to John Cooper Turner, from Morgan Turner, recorded in Deed Book 156 Page 96, thence back sight along North line and turn right 101 degrees and 57 minutes and run 271.5 feet to the Northwest corner of lot formerly sold to Ruth Hyche, thence turn left 90 degrees 00 minutes and run 174 feet, more or less, to half Section line, thence South along one half Section line 800 feet, more or less, to North margin of Watermelon Road, thence Northeastward along North margin for a distance of 298 feet, more or less, to the Southwest corner of John Cooper Turner lot, thence North 36 degrees West 294 feet, thence turn right 90 degrees 00 minutes and run 175 feet to point of beginning.

Parcel B: All of the Quarter moon shaped piece of land South of new Watermelon Road built in 1941 and North of old road or land sold to Mr. Rose by Mr. Morgan Turner, being the parcel of land cut off of Morgan Turner land by new road located North of old road. All of the above two parcels being in the SW¼ of the SE¼ of Section 10, Township 21, South, Range 10 West, Tuscaloosa County, Alabama.

Beginning at the South center line of Section 10, Township 21, Range 10, and running North for a distance of 600 feet to a point, and then at an angle of 57 degrees, and 32 minutes to the right a distance of 150 feet to a corner or beginning point—using this point as a starting point for the property sold—at an angle of 90 degrees to the left, running a distance of 50 feet which point is the NW corner of said acre of ground, turn thence at an angle of 90 degrees, right and running a distance of 175 feet to the NE corner; thence at an angle of 90 degrees to the right running a distance of 220 feet south; thence along the North boundary of the Watermelon Road a distance of 190 feet more or less, and then North a distance of 244 feet to the point of beginning. This line is parallel to the eastern line.

Begin at Southeast corner of lot sold to J. C. Turner in 1929 and run North 32 degrees and 30 minutes East along the Watermelon Road 230 feet; thence run Westward at right angle to said road along West line of Ruth Hyche's 2 acres 420 feet to Northwest corner of 2 acres;

thence South 24 degrees and 30 minutes East 271.5 feet along line of J. C. Turner lot to pipe; thence left 11 degrees and 57 minutes and run along the J. C. Turner lot 220 feet to point of beginning. Being 1.06 acres.

To find the point of beginning commence at the Southeast corner of the J. C. Turner property and run North 32 degrees 30 minutes East along the North side of Watermelon Road for a distance of Two Hundred Thirty (230) feet to the Southwest corner of the Property herein conveyed; turn thence at an angle of Ninety degrees to the left and run Northwest a distance of 420 feet to a point; turn thence at an angle of Ninety degrees to the right for a distance of 210 feet; run thence through an angle of Ninety degrees to the right for a distance of 420 feet to a point on the North side of the Watermelon Road; thence run Southeast through an angle of Ninety degrees to the point of beginning, containing two acres, more or less. All being in the Southwest Quarter of the Southeast Quarter of Section 10, Township 21, Range 10 West, Said land lying and being in Tuscaloosa County, Alabama.

Southwest ¼ of the Southeast ¼ of Section 10, Township 21, Range 10 West (except two acres deeded heretofore to D. L. Christian or his wife and to Martha J. Crowder. Being thirty eight acres more or less lying in Tuscaloosa County, Alabama.

Parcel Fifteen: Lot No. 3A of Five Points Subdivision as recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama.

Parcel Sixteen: All of Lot Number Forty-three (43) of Five Points Subdivision near Northport, Alabama, as shown and designated on a plat recorded in Plat Book 5, on Page 196 in the Probate Office of Tuscaloosa County, Alabama, reference to said plat or map being made in the aid of and as a part of this description.

Parcel Seventeen: Begin at the Northeast corner of the Northeast One-Fourth of the Northeast One-fourth of Section 8, Township 21 south, Range 10 West, and run in a Southern direction along the section line for a distance of 584.4 feet to a point, which is the first-named corner of this parcel of property; thence turn right 59 degree 5' and run in a Southwestern direction in a straight line to a point on the East or Northeast boundary line of U.S. Highway 43; thence run in a Southeastern direction along the East or Northeastern boundary line of U.S. Highway 43 for a distance of 355 feet to a point on the East boundary line of said Section 8; thence run in a Northern direction along the East boundary line of said Section 8 for a distance of 405.6 feet to the first-named corner of this parcel of property.

Parcel Eighteen: Lots Number 44, 45, and 46 of the Five Points Subdivision as shown by that certain map or plat being Plat Book 5 at Page 196, recorded in the Probate Office of Tuscaloosa County, Alabama, reference to which is made in aid of and as a part of this description.

Parcel Nineteen: Lots 24 and 25 of Five Points Subdivision, recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama, which map or plat book is made reference herein as if set out verbatin herein.

Parcel A: The South 60 feet of Lot 23 of Five Points Subdivision, recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama.

Parcel B: Begin at the Southeast corner of said Lot 23 of Five Points Subdivision, recorded in Plat Book 5 at Page 196 in the Probate Office of Tuscaloosa County, Alabama; thence run West 142.6 feet to the East margin of Byler Road; thence run South on an angle of 42 degrees 30

minutes East along the margin of Byler Road 94.4 feet; thence turn left and run 107 feet to the point of beginning.

Parcel Twenty: Lot No. 5 of Five Points Subdivision a map or plat of which is recorded in Plat Book 5 at Page 196 which said map or plat is hereby used in aid of and as a part of this description; said plat is recorded in Probate Office of Tuscaloosa County, Alabama.

Parcel Twenty-One: Tract A: Begin at the Watermelon Road and then run North 300 feet along the Section line thence run East 185 feet; then run South 220 feet; thence run West 100 feet along said road to point of beginning.

Tract B: Begin 205 feet North of SW corner of SW¼ of NW¼ and thence run North along section line 215 feet; then run East 210 feet; then run South 215 feet; thence West to point of beginning for 210 feet.

Tract C: Begin at a point 210 feet East of the SW corner of SW¼ of NW¼ and run thence South a distance of 80 feet to the point of beginning and being the NW corner of the property herein described; run thence further South to the North boundary of the Old Watermelon Road; thence East along the North boundary of said road a distance of 150 feet to point, thence North and parallel to the West section line of said Section 11, to a point that is 80 feet south of South boundary line of the SW¼ of NW¼ of said Section 11, thence run in a westerly direction and parallel to the South boundary of said One-Fourth section to the point of beginning.

Begin at a point 210 feet East of the SW corner of SW¼ of NW¼, run thence South 80 feet to the NW corner of the property, sold to Elmer Christian by the same grantors; run thence East parallel to North boundary line of One-Fourth section of the NE corner of property sold to Christian by grantors; run thence North parallel to the West line of Section 11 to a point on the South boundary line of SW¼ of NW¼, thence West along the South boundary line of One-Fourth section to the point of beginning, also a 25 foot right-of-way across the West side of the property therein conveyed from the Old Watermelon Road to the 80 foot lot above described:

Tract D: Begin at a point 210 feet East of the SW corner of SW¼ of NW¼ of NW¼; run thence South parallel to the West Section Line a distance of 297 feet to the Watermelon Road; thence East along the North boundary of said road 150 feet to the point of beginning; thence North parallel to One-Fourth section line of the South boundary line of U.S. Highway 82 By-pass; thence run East 115 feet; thence run South parallel with the One-Fourth Section line to the point of beginning.

Section 2: This act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Before me, Lullene DuBose, a Notary Public in and for the State and County aforesaid, personally appeared Karl S. Elebash, Jr., who being by me first duly sworn, deposes and says that during the times herein mentioned, he was publisher of the Graphic, a newspaper of general circulation published in said Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

KARL S. ELEBASH, JR.,
Affiant.

Sworn to and subscribed before me on this July 10, 1969.

LULLENE DuBOSE,
Notary Public.

The City Clerk is further directed to deliver the prepared Bills together with the publisher's affidavit to the Hon. Edward D. Robertson, Representative to the Legislature of Alabama from Tuscaloosa County, and respectfully request that he cause the same to be introduced into the Legislature of Alabama.

G. ROSE MAYER,
Mayor, City of Northport, Alabama.

Attest:

GEORGE C. WILLIAMSON
Clerk, City of Northport, Alabama

By Messrs. Watkins, Gafford, Cook (Jefferson), Meeks, Waggoner, Kilgore, Ellis, House, Money, Jackson (T), Dill, Adwell and Bowers:

H. 1036. To provide that upon a municipality annexing any district created under Act No. 79 of the Special Session of the Legislature of 1966 to fight or prevent fires, or to fight or prevent fires and collect and dispose of garbage, persons employed by the district to fight fires shall become employees of such municipality subject to the conditions stated in this Act.

Judiciary.

By Messrs. Watkins, Cook (Jefferson), Dill, Kilgore, Money, Sessions, Yeilding, House, Ellis, Weeks, Meeks, Waggoner and Adwell:

H. 1037: To repeal Act No. 558, House 1070, Regular Session, 1931, (Acts 1931, p. 1653), as amended, which relates to the Jefferson County Board of Cosmetological Examiners.

Local Legislation No. 2.

By Messrs. Watkins, Meeks, Cook (Jefferson), Dill, Kilgore, Money, Sessions, Yeilding, House, Ellis, Weeks, Waggoner and Adwell:

H. 1038. To amend Title and Section 19½ and to repeal Section 32 of Act No. 78, Special Session, 1961, (Acts of Alabama of 1961, p. 1955), as amended, which Act regulated the teaching and practice of cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology so as to regulate further such teaching and practices and the registration and license fees therefor so as to make such Act applicable to all counties of the State of Alabama.

Judiciary.

By Messrs. Adwell, Gloor, Dill, Kilgore, Money, Sessions, Yielding, Gafford, Cook (Jefferson), Weeks, Meeks, Waggoner and Bowers:

H. 1039. To provide that any city of this State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census shall be entitled to be reimbursed for all hospital bills, doctor's bills, medical expenses, employee salary while absent from duty, and other expenditures made by such city or agency as a result of an injury to an employee of such city or agency while in the actual performance of his duties as such employee, proximately caused by the negligence of a third person, to such employee of such city or agency thereof by the person, firm or corporation guilty of or liable for such negligence or to whom such negligence may be imputed; to provide for the enforcement of such right to reimbursement.

Rules.

By Mr. Burgreen:

H. 1040. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Neville and Paulk:

H. 1041. To authorize each county in this state in which there is now or hereafter levied any privilege license or excise tax the proceeds of which tax may be used in whole or in part for the acquisition, construction, improving, enlarging, renovating, replacing, equipping, operating, maintaining and repairing public hospitals, public clinics, public health centers and related public health facilities in such county, whether any such hospital, clinic, center or facility is owned by the County or a corporation heretofore or hereafter organized or created pursuant to authorization or determination of the governing body of the County, or for one or more of such purposes, to issue to the extent of its constitutional debt limit, interest bearing warrants, certificates of indebtedness or other evidences of indebtedness (other than bonds to which the provisions of Section 222 of the Constitution of Alabama of 1901 apply) for any one or more of the purposes to which the proceeds of such tax may be applied, to provide that the governing body of the County issuing any such warrants, certificates of indebtedness or other evidences of indebtedness shall pledge and use or cause to be pledged and used for the payment of the principal of and interest on such obligations and to provide a reserve fund therefor, so much as may be necessary for such purposes of the proceeds of such tax, to provide that the proceedings authorizing their issuance may provide that such warrants, certificates of indebtedness or other evidence of indebtedness shall evidence the general obligation of the County by which they are issued, in which case the full faith and credit of the County shall be irrevocably pledged for the payment of the principal thereof and the interest thereon, in addition to the pledge of said tax, or in the alternative, that such proceedings may provide that such warrants, certificates of indebtedness and other evidences of indebtedness shall be payable solely from the proceeds of said tax, in which case the full faith and credit of the County shall not be pledged to the payment thereof and the obligation of the County to pay the same shall be limited to the tax so pledged; to provide for the public sale of such warrants, certificates of indebtedness or other evidences of indebtedness; to provide for the refunding of such warrants, certificates of indebtedness or other evidences of indebtedness; to provide that such warrants, certificates of indebtedness or other evidences of indebtedness shall be legal investments for executors, administrators, trustees and other fiduciaries and to provide that insofar as the provisions thereof may be inconsistent with any other provisions of law, the provisions thereof shall control and declaring that the provisions of Section 78 of Title 12, Alabama Code of 1940 shall not be applicable to warrants, certificates of indebtedness or other evidences of indebtedness issued under the provisions thereof.

Judiciary.

By Messrs. Neville and Paulk (with notice and proof):

H. 1042. To regulate the salary of the jailer in Macon County, payable out of the general funds of the county.

Local Legislation No. 1.

Notice and Proof H. 1042:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate the salary of the jailer in Macon County, payable out of the general funds of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The jailor appointed by the sheriff of Macon County shall receive a salary not to exceed $200 per month. Such salary shall be fixed by the court of county commissioners or like governing body of the county and shall be payable in equal installments out of the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, June 5, and June 12, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Messrs. Neville and Paulk (with notice and proof):

H. 1043. To amend further Act No. 299, H. 630, Regular Session 1953 (Acts 1953, p. 360) entitled "An Act Relating to Macon County; providing for deputies sheriff and the amount and payment of their compensation."

Local Legislation No. 1.

Notice and Proof H. 1043:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Further Act No. 299, H. 630, Regular Session 1953 (Acts 1953, p. 360) entitled "An Act Relating to Macon County: providing for deputies sheriff and the amount and payment of their compensation."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 290, H. 630, Regular Session 1953 (Acts 1953. p. 360) entitled "An Act Relating to Macon County; providing for deputies sheriff and the amount and payment of their compensation," is hereby further amended to read as follows:

Section 1. The sheriff of Macon County shall have and appoint one chief deputy and two additional deputies whose compensation shall be paid as herein provided: The chief deputy shall be entitled to a salary of not more than four hundred fifty dollars a month; one of the additional deputies shall be paid a salary of not more than four hundred dollars a month, and the other one shall be paid a monthly salary of not more than three hundred fifty dollars. Such salaries shall be fixed by the court of county commissioners, board of revenue, or like governing body of Macon County, and shall be paid at the discretion of the county governing body from either the highway and traffic fund or the general fund of the county."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, June 5, and June 12, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Messrs. Neville and Paulk (with notice and proof):

H. 1044. To provide a clerk hire allowance for the sheriff of Macon County, payable out of the general funds of the county.

Local Legislation No. 1.

Notice and Proof H. 1044:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide a clerk hire allowance for the sheriff of Macon County, payable out of the general funds of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue or other like governing body of Macon County shall provide an allowance not to exceed $100 per month to the sheriff of Macon County for clerk hire. The amount of such allowance shall be determined by the county governing body and shall be payable out of the general funds of the county.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, June 5, and June 12, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Messrs. Neville and Paulk (with notice and proof):

H. 1045. Relating to Macon County; amending further Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225) which created and established the board of revenue of Macon County.

Local Legislation No. 1.

Notice and Proof H. 1045:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Macon County; amending further Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225) which created and established the board of revenue of Macon County:

Be It Enacted by the Legislature of Alabama:

Section 1. Section 10 of Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225), the act which created and established the board of revenue of Macon County, is further amended to read as follows:

"Section 10. The members of the Board of Revenue, including the chairman, shall each be entitled to receive a monthly salary of three hundred fifty dollars for the performance of their duties, to be paid out of the county treasury on the certificate or warrant of the chairman. In addition each member shall be entitled to ten cents per mile for each mile traveled on official business, but the total mileage allowance claimed by or paid to any member for any calendar month shall not exceed one hundred dollars."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, June 5, and June 12, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Messrs. Neville and Paulk (with notice and proof):

H. 1046. Relating to Macon County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Local Legislation No. 1.

Notice and Proof H. 1046:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Macon County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Be It Enacted by the Legislature of Alabama:

Section 1. In Macon County the fee for issuance of a permit to carry a pistol in a vehicle or concealed on or about the person as provided in Code of Alabama 1940, Title 14, Section 177, shall be give dollars ($5.00), and shall be collected by the sheriff.

Section 2. Three dollars of each fee so collected shall be deposited in the general fund of Macon County, and two dollars shall be deposited into a fund to be designated The Sheriff's Fund, to be used by the sheriff for the betterment of law enforcement within the county.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, June 5, and June 12, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Mr. Neville (with notice and proof):

H. 1047. To change the method of compensating the sheriff of Barbour County, placing such officer on a salary basis; to provide that the fees, commissions, and allowances provided the sheriff under the general law shall be paid into the county treasury; and to provide that expenses, equipment and assistants necessary to the conduct of the sheriff's office be paid for by the county.

Local Legislation No. 1.

Notice and Proof H. 1047:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating the sheriff of Barbour County, placing such officer on a salary basis; to provide that the fees, commissions, and allowances provided the sheriff under the general law shall be paid into the county treasury; and to provide that expenses, equipment and assistants necessary to the conduct of the sheriff's office be paid for by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The sheriff of Barbour County shall be compensated on a salary basis and shall receive $12,000 per annum to be paid in equal monthly installments from the general funds of the county. Said salary shall be the entire compensation of the sheriff for the performance of his official duties.

Section 2. The fees, commissions, percentages, allowances, charges and court cost heretofore collectible for the use of the sheriff shall hereafter be collected for the use of the county and shall be paid into the general fund of the county.

Section 3. The board of revenue, court of county commissioners or other like governing body of Barbour County shall provide compensation for such number of clerks, assistants and deputies of the sheriff, and such deputies, clerks and assistants shall be appointed and compensated as provided by Act No. 235, S97 of the Regular Session of 1967 (Acts 1967, P. 611.)

Section 4. The board of revenue, court of county commissioners, or other like governing body of Barbour County shall provide the sheriff with all necessary supplies, materials and equipment needed for the efficient enforcement of the law in the county and for the efficient operation of the sheriff's office, including motor vehicles, communications equipment, and all materials and accessories necessary for their operation. All of these items are to be furnished upon the written requisition of the sheriff, subject to the approval of the county governing body.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective upon the expiration of the term of office of the incumbent sheriff of Barbour County and upon the ratification and adoption of an Amendment to the Constitution of Alabama authorizing such an act.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn,

deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/24, 7/1, 8, 15.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

By Mr. Neville (with notice and proof):

H. 1048. Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

Local Legislation No. 1.

Notice and Proof H. 1048:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. In Barbour County, Alabama, each member of the jury commission and the clerk of such commission shall each be paid a sum to be fixed by the county governing body at not less than ten dollars per day for each day he is actually engaged in the discharge of his duties as such member of clerk, but the compensation of each member shall not exceed for any year of his term one thousand dollars, nor shall the compensation of the clerk in any one year exceed one thousand dollars.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/12, 19, 26, 7/1.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

By Mr. Neville (with notice and proof):

H. 1049. To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

Local Legislation No. 1.

Notice and Proof H. 1049:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

Be It Enacted by the Legislature of Alabama:

Section 1. There is created hereby, a fund in the county treasury of Barbour County to be known as the Barbour County Judiciary Fund.

Section 2. Payments from said judiciary fund shall be made upon warrant signed by the Circuit Judge of the Third Judicial Circuit.

Section 3. Moneys in the Barbour County Judiciary Fund are to be used for the purchase, care, custody, storage, maintenance, and copying of judicial reference materials, for copying equipment and for making such judicial reference materials readily available for use by the public.

Section 4. The Judiciary Fund shall consist of such funds as may be paid to it by law and such funds as may be donated to the county for said fund.

Section 5. Such judicial reference materials as may be purchased by the fund shall be the property of the county and shall be so marked.

Section 6. The President of the Barbour County Bar Association shall each year appoint a committee of three members to be known as the Judiciary Fund Committee, which shall have the responsibility of reporting to the Barbour County Bar Association and to the Circuit

Judge of the Third Judicial Circuit the condition of the judicial reference materials on hand and the proposed needs.

Section 7. The county treasurer of Barbour County shall semi-annually make a report to those members of the Bar who have purchased licenses to practice law in Barbour County during the current fiscal year, showing the itemized receipts and expenditures of the Judiciary Fund for the preceding six-month period. Such reports shall be made in January and July each year.

Section 8. The Judge of the Third Judicial Circuit shall by orders spread upon the minutes of the court and distributed to each member of the Bar who has purchased a license to practice in Barbour County during the current year, promulgate rules and regulations concerning the place or places of custody of said judicial reference materials, time of access to such materials, and such other rules as may be necessary for the safe storage and use of such materials; provided, however, that the materials shall be open to the public and that the public shall have the same access to said materials as the said judge or any member of the Bar licensed to practice law.

Section 9. The Judge of the Third Judicial Circuit shall be empowered to accept donations of judicial reference materials on behalf of the county.

Section 10. The county governing body of Barbour County shall provide quarters and adequate facilities for the care and storage and convenient use of such Judicial Reference Materials in the Clayton or Western division of the County and another such place in the Eastern or Eufaula Division of the County; and the County Governing Body shall be authorized to expend such funds from the general funds of the county as may be necessary for such purpose.

Section 11. Barbour County's one-half of the trial tax levied by Code of Alabama 1940, Title 51, Section 20, shall be paid into the Barbour County Judiciary Fund. The other one-half of such tax shall continue to be paid into the State treasury as required in said Section 20.

Section 12. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 13. All laws or parts of laws which conflict with this Act are repealed.

Section 14. This Act shall become effective on the first day of the month following the month in which this Act becomes law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/17, 24, 7/1, 8.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

By Mr. Neville (with notice and proof):

H. 1050. Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

Local Legislation No. 1.

Notice and Proof H. 1050:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

Be It Enacted by the Legislature of Alabama:

Section 1. Any taxpayer of Barbour County shall have the right to select the courthouse in Eufaula or the courthouse in Clayton as the place for having the hearing provided for in Code of Alabama 1940, Title 51, Section 107.

Section 2. The board of equalization must, in publishing the notice required by Code of Alabama 1940, Title 51, Section 106, and as a part of the written notice required to be mailed to any taxpayer under the provisions of Code of Alabama 1940, Title 51, Section 55, give each such taxpayer notice of such right and must provide him with a form for requesting a hearing, which form shall show the names of both hearing locations and shall provide the taxpayer with a method of indicating his choice.

Section 3. To provide for an equitable division of its meeting days and in order to meet the convenience of the taxpayers of the county, the board of equalization of the county shall schedule a sufficient proportion of its meetings at each courthouse so that each taxpayer who requests a hearing may have sufficient time for his hearing.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn,

deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/17, 24, 7/1, 8.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

By Mr. Neville (with notice and proof):

H. 1051. To regulate further the recording and indexing of deeds, mortgages and other documents and instruments, which are public records, by the probate judge of Barbour County; To provide for the recording of all instruments in one general series of books in each separate division of the county; to provide that instruments will have effect only in the division wherein recorded; providing for the re-indexing of certain records filed heretofore in each of the separate divisions of the county and the placing of a copy of such index in the division where the instrument was not filed; and providing for the binding and maintenance of copies of certain maps in each division of the county.

Local Legislation No. 1.

Notice and Proof H. 1051:

STATE OF ALABAMA
COUNTY OF BARBOUR

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the recording and indexing of deeds, mortgages and other documents and instruments, which are public records, by the probate judge of Barbour County; To provide for the recording of all instruments in one general series of books in each separate division of the county; to provide that instruments will have effect only in the division wherein recorded; providing for the re-indexing of certain records filed heretofore in each of the separate divisions of the county and the placing of a copy of such index in the division where the instrument was not filed; and providing for the binding and maintenance of copies of certain maps in each division of the county.

Be It Enacted by the Legislature of Alabama:

Section 1. In lieu of the separate books now required to be kept by the judge of probate of Barbour County in each of his offices for the purpose of recording each kind or class of instrument which he is or hereafter may be required by law to record, said judge of probate shall, except as hereinafter provided, record all of these instruments in one general series of books in the Eufaula Division and one general series of books in the Clayton Division, called "Official Records." The series shall be numbered consecutively beginning with number one, except that the number on the books in the Clayton Division shall be preceded by the letter "C" and the number on the books in the Eufaula

Division shall be preceded by the letter "E." Said instruments shall have effect only in the division of the county where recorded, and to be effective in both divisions must be recorded in both divisions. As used in this section the terms "Eufaula Division" and "Clayton Division," mean and refer to the divisions of Barbour County provided for and defined in Sections 2 and 3 of Act. No. 620 of the Regular Session of 1961, (Acts, 1961, p. 735).

Section 2. In lieu of separate indexes for each kind or class of instrument, a general alphabetical index, direct and reverse to any or all kinds or classes of instruments shall be kept by the judge of probate.

Section 3. The recording of instruments in "Official Records" as set forth in Section 1 imparts notice in like manner and effect as if the instruments were recorded in separate books.

Section 4. Certificates of judgments and other certified decrees recorded in the "Official Records" shall become liens on the real estate of the defendants in the division of the county where the same are recorded in the same manner as if recorded in the judgment record as provided by Article 8 of Title 7 of the Code of Alabama.

Section 5. The probate judge may make notations of mortgate assignments and satisfactions on the margin of the record of the mortgage or lien satisfied or assigned. He may, in his discretion, require that assignments and satisfactions be made by separate recorded instrument.

Section 6. The direct index provided for in section 2 shall embrace, at least, the following features, and should be so ruled: Grantor, grantee, instrument, date of instrument, date of filing, where recorded, volume, page, brief abstract of description. The reverse index, shall embrace at least the following features, and shall be so ruled: Grantee, grantor, instrument, date of instrument, date of filing, where recorded, volume, page, brief abstract of description. The name of each grantor (or defendant, in the case of judgments and liens) shall be indexed separately in the direct index, and the name of such grantee (judgment creditor, or lien claimant in the case of judgments and liens) shall be indexed separately in the reverse index. When the instrument contains a recital that a grantor is the heir of a named former owner or had a former stated name, such former owner or former name shall be indexed separately in the direct index with a parenthetical explanation; e.g. Doe, John (Heirs) or Doe, Jane (now Jane Smith).

Section 7. Whenever deemed advisable by the county governing body, the probate judge shall, at the expense of the county, have all or a portion of the instruments which were recorded prior to the effective date of this Act indexed to date as is indicated herein, or in a manner substantially similar thereto. Within 90 days after the date on which this Act becomes law, the probate judge shall make for the county governing body a detailed estimate of so indexing prior records, so that the said governing body may consider the feasibility of authorizing the expense of so indexing all or various portions of the same.

Section 8. For the additional duties required of the probate judge in recording the brief abstract of description in documents, he shall be entitled to an additional fee of ..... for each name indexed for which the said brief abstract is required.

Section 9. The following documents and instruments shall be recorded and indexed as indicated, instead of in the manner set forth in section 1 herein, but shall have effect only in the division of the County where recorded, and to be effective in both divisions must be recorded in both divisions:

(a) Maps and Plats shall be recorded in Map Books and indexed both therein and in the index to "Official Records."

(b) Hospital Liens shall be recorded and indexed as provided in Article 15 of Title 33 of the Code of Alabama.

(c) Financing Statements shall be recorded and indexed as provided in Sections 9-401—9-406 of Act. No. 549, S. 2, of the Regular Session of 1965, (Acts 1965, p. 811), (which now appears in Title 7A, at Sections 9-401—9-406 of the Code of Alabama).

Section 10. Probate court records shall be indexed in accordance with laws pertaining to such Court.

Section 11. Indexing of records of towns, companies and corporations, and other entities, which have a name beginning with the word "The" or with the word "Town" or "City" before them, shall be indexed under the name of the entity without the word "The," "Town," "City," listed; e.g., the Clayton Banking Company shall be indexed under the appropriate subdivision of the letter "C" and "The City of Eufaula" shall be indexed under the appropriate division of the letter "E." Agencies of the State of Alabama shall be indexed under the appropriate division of the letter "A" with Alabama and the name of the agency, and agencies of the city of Eufaula shall be indexed under the appropriate division of the letter "E" with Eufaula and the name of the agency.

Section 12. In order to give notice of the matters contained herein to members of the public who are using the records in the office of the probate judge, he shall keep a copy of this Act framed and on public display in a prominent place in each of his offices.

Section 13. The probate judge may require that conveyances or other instruments tendered for filing state the division in which they are to be recorded before accepting such conveyances or other instruments for filing, but he shall not be responsible for seeing that said instruments are filed or recorded in the proper division.

Section 14. Within six months after the date on which this Act becomes law, the probate judge shall, at the expense of the county, index all records recorded in Clayton prior to the effective date of this Act, except those required to be recorded in Clayton by S3 of Acts 620, Acts of 1961, page 735, and he shall place said index in his office in Eufaula.

Section 15. Within six months after the date on which this Act becomes law, the probate judge shall, at the expense of the County, index all records recorded in Eufaula prior to the effective date of this Act, except those required to be recorded in Eufaula by S3 of Act 620, Acts of 1961, page 735, and he shall place said index in his office in Clayton.

Section 16. Within 90 days after the date on which this Act becomes law, the Probate Judge at the expense of the county shall bind all right-of-way and highway maps of the County which are on file in his office into well-bound books and shall index them and shall obtain and similarly bind a dpulicate set of such maps and shall place one set in each of his said offices.

Section 17. After the effective date of this Act, all highway and right of way maps which are required by law to be deposited in the office of the probate judge shall be deposited in duplicate and a copy recorded in a map book at each office.

Section 18. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 19. All laws or parts of laws which conflict with this Act are repealed.

Section 20. The substantive provisions of this Act shall become effective January 1, 1970; however, this Act shall for the purpose of authorizing the judge of probate to obtain books, records and supplies needed to effectuate the Act, become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

STATE OF ALABAMA
BARBOUR COUNTY

Before me, Elizabeth M. Upshaw, a Notary Public in and for said State and County, personally appeared Joel P. Smith, who being sworn, deposes and says on oath, that he is the Publisher of THE EUFAULA TRIBUNE, a newspaper published semi-weekly, in the City of Eufaula, Barbour County, Alabama, and that the foregoing attached notice was published in said newspaper 4 times, the same appearing in the issues dated: 6/17, 24, 7/1, 8.

JOEL P. SMITH.

Sworn to and subscribed before me this the 15th day of July, 1969.

ELIZABETH M. UPSHAW,
Notary Public, Barbour Co., Ala.

By Messrs. Neville and Paulk (with notice and proof):

H. 1052. To amend Section 1 of Act No. 38, H. 20, First Special Session 1963 (Acts 1963, p. 114) which act authorizes the board of revenue or like governing body of Macon County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Macon County; so as to increase the rate of the tax.

Local Legislation No. 1.

Notice and Proof H. 1052:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 38, H. 20, First Special Session 1963 (Acts 1963, p. 114) which act authorizes the board of revenue or like governing body of Macon County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Macon County; so as to increase the rate of the tax.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 38, H. 20, First Special Session 1963 (Acts 1963, p. 114) relating to the privilege or license tax on distributors or sellers of malt or brewed beverages to retailers in Macon County is amended to read as follows:

"Section 1. The board of revenue or like governing body of Macon County may levy a privilege or license tax on all persons, corporations, co-partnerships, companies, agencies, and associations selling, distributing, or delivering to retailers in Macon County any malt or brewed beverages, (including beer, lager beer, ale, porter, or similar fermented malt liquor containing one-half of one percent or more of alcohol by volume), which tax shall be in an amount equal to not more than four cents on quantities of twelve fluid ounces or less, six cents on quantities of more than twelve but not exceeding sixteen fluid ounces and eight cents on quantities of more than sixteen but not exceeding twenty-four fluid ounces; and four cents on each twelve fluid ounces or fractional part thereof in excess of twenty-four fluid ounces of malt or brewed beverages sold, delivered or distributed to retailers located in the county. The privilege or license tax herein authorized shall be in addition to all other taxes and licenses now or hereafter authorized or imposed by law."

Section 2. This act shall become effective on the first day of the second month next following its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, June 5, and June 12, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Messrs. Neville and Paulk (with notice and proof):

H. 1053. Relating to Macon County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; and providing penalties for violations of the act.

Local Legislation No. 1.

Notice and Proof H. 1053:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Macon County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; and providing penalties for violations of the act.

Be It Enacted by the Legislature of Alabama:

Section 1. All words, terms, and phrases that are defined in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, the state sales tax act, and in Code of Alabama, 1940, Title 51, Chapter 20, Article 11, as amended, shall, where used in this act, have the meanings respectively ascribed to them in said Act No. 100 and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, except where the context herein clearly indicates a different meaning. In addition, the following words, terms, and phrases where used in this act shall have the following respective meanings except where the context clearly indicates a different meaning:

"State sales tax statutes" means Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100, heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Act No. 100 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of said act and the incidence and collection of the tax imposed therein.

"State sales tax" means the tax imposed by the state sales tax statutes;

"State sales tax statutes" means Code of Alabama 1940, Title 51, Chapter 20, Article 11, as heretofore amended, including all statutes heretofore enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes heretofore enacted which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

"State use tax" means the tax imposed by the state use tax statutes;

"Registered seller" means the person registered with the State Department of Revenue pursuant to the state use tax statutes or licensed under the state sales tax statutes;

"Month" means the calendar month;

"Quarterly period" means the period of three months ending on the last day of each March, June, September, and December;

"Fiscal year" means the period commencing on October 1 of each calendar year and ending on September 30 of the next succeeding calendar year.

Section 2. There are hereby levied and imposed in Macon County, in addition to all other taxes of every kind now imposed by law, county privilege or license taxes to be determined by the application of rates against gross sales or gross receipts as the case may be, as follows:

1. Upon every person, firm, or corporation (not including the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC stores) engaged or continuing within Macon County in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character, (not including, however bonds or other evidence of debt or stocks), an amount equal to one per cent of the gross proceeds of sales of the business. Any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified when his books are kept, so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the State Department of Revenue a sworn statement to that effect and shall keep and maintain records satisfactorily to the State Department of Revenue, the gross receipts tax herein provided for shall not be levied.

2. Upon every person, firm, or corporation engaged or continuing within Macon County in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, musical devices, theaters, opera houses, moving picture shows, vaudevilles, amusement parks, atheletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a city school, or other institutions, association, or school), skating rinks, race tracks, golf courses, or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within Macon County, an amount equal to one per cent of the gross receipts of any such business.

3. Upon every person, firm or corporation engaged or continuing within Macon County in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer or house trailer, an amount equal to one fourth of one per cent of the gross proceeds of sale of said automotive vehicle or truck trailer, semi-trailer or house trailer. Provided, that where any used automotive vheicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

4. Upon every person, firm or corporation engaged or continuing within Macon County in the business of selling at retail machines used in mining, quarrying, compounding, processing and manufacturing of personal property an amount equal to one-fourth of one per cent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on

or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

5. There are exempted, however, from the provisions of this section and from the computation of the amount of the tax imposed in this section the gross receipts of any business and the gross proceeds of all sales which are presently exempted under the state sales tax statutes from the computation of the amount of the state sales tax.

6. An excise tax on the storage, use, or other consumption in Macon County of tangible personal property purchased at retail, on or after the first day of the month next succeeding the month during which this act shall become a law, for storage, use or other consumption in Macon County, at the rate of one per cent of the sale price of such property, regardless of whether the retailer is or is not engaged in business in Macon County or in this State, except as provided in subsections 7 and 8 of this section.

7. An excise tax on the storage, use or other consumption in Macon County of any automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after the first day of the month next succeeding the month during which this act becomes a law, for storage, use or other consumption in this State at the rate of one-fourth of one per cent of the sales price of such automotive vehicle, truck trailer, semi-trailer, or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer, or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

8. An excise tax is hereby imposed on the storage, use or other consumption in Macon County of any machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property, purchased at retail on or after the effective date of this act, at the rate of one-fourth of one per cent of the sales price of any such machine; provided that the term "machine," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

9. There are exempted, however, from the provisions of this section and the tax imposed in this section the storage, use, or other consumption of property the storage, use or other consumption of which is presently exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in Macon County tangible personal property purchased at retail shall be liable for the tax imposed by this section, and the liability shall not be extinguished until the tax has been paid by such person as herein provided; provided, however, that a receipt from a registered seller given pursuant to Section 4 of this act to the purchaser of any property to be used, stored, or consumed in Macon County shall be sufficient to relieve the purchaser from further liability for a tax to which such receipt may refer.

Section 3. The taxes levied in Section 2, subsections 1, 2, 3 and 4 of this act shall be due and payable in monthly installments on or before the twentieth day of the month next succeeding the month in which the tax accrues; and the taxes levied in Section 2, subsections 7 and 8 of this act shall be due and payable quarterly on or before the twentieth day of the month next succeeding each quarterly period during which

the storage, use, or other consumption of the tangible personal property became taxable hereunder, each such quarterly period to end on the last days of each of the months of March, June, September and December. All taxes levied in this act shall be paid to and collected by the State Department of Revenue at the same time and along with the collection of the state sales tax and the state use tax. On or prior to the due dates of the taxes herein levied each person subject to such taxes shall file with the State Department of Revenue a report or return in such form as may be prescribed by the department, setting forth, with respect to all sales and business that are provided in Section 2, subsections 1, 2, 3 and 4 hereof to be used as a measurement of the tax levied in said Section 2, subsections 1, 2, 3 and 4, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business and setting forth, with respect to the tax levied in Section 2, subsections 6, 7, and 8 hereof, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax imposed by said Section 2, subsections 6, 7 and 8, during the then preceding quarterly period; however, that said report shall include also such other items of information pertinent to the said taxes in the amount thereof as the State Department of Revenue may require. Any person subject to the taxes levied in Section 2, subsections 1, 2, 3, and 4, hereof, may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the State Department of Revenue under this section shall be available for inspection by the chairman of the Macon County governing body, or his designated agent at reasonable times during business hours.

Section 4. Every registered seller making sales of tangible personal property for storage, use, or other consumption in Macon County (which storage, use, or other consumption is not herein exempted from the tax imposed in Section 2, subsections 6, 7 and 8 hereof,) shall at the time of making such sale or if the storage, use, or other consumption of such tangible personal property in Macon County is not then taxable under this act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax imposed by Section 2, subsections 1, 2, 3, and 4, of this act from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the State Department of Revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 3 hereof, each registered seller shall file with the State Department of Revenue a return for the preceding quarterly period in such form as may be prescribed by the department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed by Section 2, subsections 6, 7, and 8, of this act during the then preceding quarterly period and each return shall be accompanied by a remittance of the amount of the tax herein required to be collected by such registered seller during the period followed by the return provided that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in Macon County need not file a report or make any further payment of the said tax, but each person who purchases tangible personal property the storage, use, or other

consumption of which is subject to the tax imposed by Section 2, subsections 6, 7, and 8 of this act and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 3.

Section 5. Each person engaging or continuing within Macon County in a business subject to the taxes levied in Section 2, subsections 1, 2, 3 and 4, of this act shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer on account of said taxes levied in said Section 2, subsections 1, 2, 3, and 4; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required by Section 4 hereof to collect. It shall be unlawful for any person subject to the tax levied in said Section 2, subsections 1, 2, 3 and 4, to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed by Section 2, subsections 6, 7 and 8, of this act or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of said tax or any portion thereof.

Section 6. The taxes imposed by this act shall constitute a debt due the Macon County governing body and may be collected by civil suit, in addition to all other methods provided by law and in this act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All of the provisions of the revenue laws of this State which apply to the enforcement of liens for license taxes due this State shall apply fully to the collection of the taxes herein levied and the State Department of Revenue, for the use and benefit of the Macon County governing body shall collect such taxes and enforce this act and shall have and exercise for such collection and enforcement all rights and remedies that this State or the department has for collection of the state sales tax and the state use tax. The State Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this act, and to otherwise enforce the provisions of this act including any litigation involving this act; and the department shall pay such special counsel such fees as it deems necessary and property from the proceeds of the taxes collected by it for the Macon County governing body.

Section 7. All provisions of the state sales tax statutes with respect to payment, assessment, and collection of the state sales tax, including discounts to licensees, making of monthly reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2, subsections 1, 2, 3 and 4, thereof, shall apply to the tax levied in the said Section 2, subsections 1, 2, 3 and 4, and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports and keeping and preserving

records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this act when applied to the tax levied in Section 2, subsections 6, 7, and 8, hereof, shall apply to the tax levied in the said Section 2, subsections 6, 7, and 8. The State Commissioner of Revenue and the State Department of Revenue shall have and exercise all of the same powers, duties and obligations with respect to the taxes levied in Section 2, hereof that are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable in this act to the taxes herein levied and to the administration of this act are hereby incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 8. The State Department of Revenue shall charge the Macon County governing body for collecting said special taxes herein levied by this act, the cost of making such collections which charge shall not exceed five per cent of the amount collected. Such charge may be deducted once each month from the special sales and use taxes collected before certifying the amount of special taxes due the Macon County governing body. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this act, as such taxes are received by the Department of Revenue; and on or before the tenth day of each successive month (commencing with the month following the month in which the department makes the first collection hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of the Macon County governing body during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of the Macon County governing body during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the Macon County governing body in an amount equal to the amount so certified by the Commissioner of Revenue as having been collected for the use of the Macon County governing body and paid into the state treasury.

Section 9. Proceeds from the taxes herein levied shall be used for the purpose of acquiring, constructing, improving, enlarging, renovating, replacing, equipping, operating, maintaining and repairing public hospitals, public clinics, public health centers and related public health facilities in Macon County, whether any such hospital, clinic, center or facility is owned by the County or by a public corporation heretofore or hereafter organized or created pursuant to authorization or determination of the governing body of Macon County, including the pledge of the taxes herein levied and the proceeds arising therefrom by the governing body of Macon County to the payment of any bonds, warrants or other obligations or evidences of indebtedness of the County which may hereafter be issued under authority of any law now existing or hereafter enacted, for any one or more of the aforesaid purposes. Any pledge of such taxes and the proceeds arising therefrom shall constitute a contract and this act shall not be repealed, altered or amended in such a way as to impair the obligation of such contract. Subject to any such pledge or pledges which shall be a prior lien and claim on said tax and the proceeds therefrom, any part of such proceeds not needed in the judgment of the governing body of the County for the aforesaid purposes may be expended for such purposes as in the judgment of the governing body are meet and proper.

Section 10. All laws or parts of laws which conflict with this act are repealed.

Section 11. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. This act shall become effective on the first day of the second month succeeding the month during which it becomes law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Messrs. Neville and Paulk (with notice and proof):

H. 1054. To amend Act No. 12, S. 69, Regular Session 1957 (Acts of Alabama, Vol. 1, Page 37) entitled "To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury."

Local Legislation No. 1.

Notice and Proof H. 1054:

STATE OF ALABAMA
COUNTY OF MACON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 12, S. 69, Regular Session 1957 (Acts of Alabama, Vol. 1, Page 37) entitled "To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 2 of Act No. 12, S. 69, Regular Session 1957 (Acts of Alabama Vol. 1, Page 37) entitled "To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury," is hereby amended to read as follows:

"Section 2. The compensation of such clerk shall be paid from the county treasury on warrant drawn by the tax collector, but the total amount to be paid from the county treasury in any fiscal year shall not exceed one thousand dollars ($1,000.00)."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MACON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Neil O. Davis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tuskegee News, a newspaper of general circulation published in Macon County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

NEIL O. DAVIS.

Sworn to and subscribed before me July 11, 1969.

CAROL W. ROUSH,
Notary Public.

By Mr. Smith:

H. 1055. Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent Federal Decennial Census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

Local Legislation No. 1.

By Mr. Smith:

H. 1056. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Smith:

H. 1057. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Talladega County.

Local Legislation No. 1.

The above bill was read a first time at leangth as required by the Constitution.

By Mr. Smith:

H. 1058. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorgani-

zation of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Local Legislation No. 1.

By Messrs. Smith and Bolton:

H. 1059. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

Local Legislation No. 1.

By Messrs. Bolton and Smith:

H. 1060. Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad.

Local Legislation No. 1.

By Mr. Grayson (with notice and proof):

H. 1061. To provide for the Mobile County civil service regulations to govern the office of chief of police of the City of Prichard.

Local Legislation No. 3.

Notice and Proof H. 1061:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for Mobile County civil service regulations to govern the office of chief of police of the City of Prichard.

Be It Enacted by the Legislature of Alabama:

Section 1. The position of chief of police of the City of Prichard shall be a position in the classified service of the city within the meaning of such term as used in Act No. 470 H. 952 of the Regular Session of 1939 (Local Acts 1939, p. 298); and the chief of police of the City of Prichard shall be governed by the Mobile County civil service system rules and regulations the same as other employees in the service of Mobile County and the municipalities therein. If the incumbent in such position when this Act becomes law has been so employed for as long as one year he shall remain in such position, but shall be subject fully to the provisions of the Mobile County civil service system as to tenure, activities, deportment and compensation, but not as to appointment.

Section 2. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. E. Koch, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Office Manager of the Mobile Register, a newspaper of general circulation published in Mobile County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 5, 12, 19, and 26, all in the year 1969.

E. E. KOCH.

Sworn to and subscribed before me June 26, 1969.

S. S. GATLIN,
Notary Public.

By Messrs. Robertson, Bank and Brown:

H. 1062. Providing further for the operation of the county board of equalization of each county having a population of not less than 109,000 nor more than 150,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board, and providing for the employment of clerks and other employees by the board.

Local Legislation No. 1.

By Messrs. Young and Lemley:

H. 1063. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

Agriculture.

By Mr. Young:

H. 1064. To amend Section 1 of Act No. 60, H. 395 of the current Regular Session 1969, an Act regulating the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000, according to the latest federal census, so as to establish a minimum for such compensation.

Local Legislation No. 1.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolution, to-wit:

H. J. R. 77. Expressing congratulations to the Alabama Department of the American Legion on the occasion of its 51st annual state convention.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 263. To authorize the circuit clerk of Autauga County to appoint one deputy clerk and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 1. To amend Act No. 326, H. 775, Regular Session 1965 (Acts 1965, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:25 P.M. on July 15, 1969.

H. J. R. 77

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Owen (Baldwin), the House, in accordance with S. J. R. 45 previously adopted, adjourned until Wednesday, July 16, 1969, at 12 o'clock Noon.

Yeas 50; Nays 42.

Yeas:

Mr. Speaker	Culver	Haygood	Neville
Bassett	Dill	Headley	Owen (Baldwin)
Beck	Dobbs	Holladay	Perloff
Blanton	Doss	Lyons	Pruitt
Brannan	Drake	Malone	Shumate
Brassell	Edington	Manley	Slate
Brown	Ellis	Mathews	Steagall
Burgess	Fine	Mays	Stembridge
Burgreen	Graham	McElhaney	Tuck
Collier	Hain	Meade	Weeks
Collins (C)	Hardin	Melton	Williams
Collins (W)	Harper	Merrill	Wood
Crawford	Harris		—50

Nays:

Messrs.:	Grayson	McCorquodale	Smith
Adwell	Higginbotham	McLain	Snell
Agee	Hill	Meeks	Springer
Bank	Hobbie	Money	Starnes
Bolton	House	Nettles	Stubbs
Cook (Jefferson)	Jackson (T)	Owens (W)	Turnham
Downing	Kilgore	Paulk	Waggoner
Gafford	Laxson	Pearson	Watkins
Garrett	Lemley	Pennington	Wright
Gloor	Lybrand	Robertson	Yeilding
Grainger	Marr	Sessions	—42

TWENTIETH DAY

House of Representatives
Montgomery, Alabama
Wednesday, July 16, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend James F. Grant, Missionary Alliance Church, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Doss	Jackson (T)	Pearson
Adwell	Downing	Kilgore	Pennington
Agee	Drake	Laxson	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Fine	Lyons	Sessions
Berryman (W)	Foshee	Malone	Shumate
Blanton	Gafford	Manley	Slate
Bolton	Garrett	Marr	Smith
Bowers	Gloor	Mathews	Snell
Brannan	Graham	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Brown	Hain	McElhaney	Steagall
Burgess	Hardin	McLain	Stembridge
Burgreen	Harper	Meade	Stubbs
Cameron	Harris	Meeks	Tuck
Cherner	Haygood	Melton	Turnham
Collier	Headley	Merrill	Waggoner
Collins (C)	Higginbotham	Money	Watkins
Collins (W)	Hill	Nettles	Weeks
Cook (Coffee)	Hobbie	Neville	Williams
Cook (Jefferson)	Holladay	Owen (Baldwin)	Wood
Crawford	Holman	Owens (W)	Wright
Culver	House	Owens (W.E.)	Yeilding
Dill	Jackson (F)	Paulk	Young
Dobbs			

—101

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the nineteenth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the nineteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the nineteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had originated and acted on the following resolution, and ordered same returned to the House with the recommendation that it be adopted:

By Rules Committee:

H. J. R. 84. WHEREAS upon passage of House Joint Resolution No. 74, Act No. 324, approved September 1, 1955, it was the intention of the Legislature that the employees who were employed under said resolution would conform to the definition of "Employee" under Act No. 515 of the 1945 Legislature and would be eligible for coverage in the Employees' Retirement System of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That such employees as were employed under said resolution shall be eligible for coverage in the Employees' Retirement System of Alabama as other employees are covered and that service rendered prior to and following September 1, 1955 shall be creditable in the Employees' Retirement System of Alabama upon payment of contributions, which would have been made had these employees been allowed to join such retirement system, plus regular interest to date of payment. Such payment shall be made within eight months after passage of this resolution.

On motion of Mr. Merrill, H. J. R. 84 was adopted.

BILL ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and place on the Calendar, to-wit:

H. 1039. To provide that any city of this State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census shall be entitled to be reimbursed for all hospital bills, doctor's bills, medical expenses, employee salary while absent from duty, and other expenditures made by such city or agency as a result of an injury to an employee of such city or agency while in the actual performance of his duties as such employee, proximately caused by the negligence of a third person, to such employee of such city or agency thereof by the person, firm or corporation guilty of or liable for such negligence or to whom such negligence may be imputed; to provide for the enforcement of such right to reimbursement.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had originated and acted on the following resolution, and ordered same returned to the House with the recommendation that it be adopted:

By Rules Committee:

H. R. 85. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Twentieth Legislative Day, taking precedence over any other business in the House on this day:

Uncontested Local Bills

HB 213, Page 40
SB 54, Page 111
SB 492, Page 115
SB 128, Page 88
HB 236, Page 17
HB 529, Page 99
HB 530, Page 99
HB 332, Page 16
HB 668, Page 53
HB 288, Page 12
HB 293, Page 14
HB 653, Page 65
HB 45, Page 112
HB 439, Page 92
HB 706, Page 82
HB 28, Page 3
HB 226, Page 46
SB 20, Page 98
HB 778, Page 75
HB 779, Page 75
HB 70, Page 28
HB 71, Page 28
HB 362, Page 64
HB 74, Page 54
HB 418, Page 50
HB 349, Page 8
HB 588, Page 31
HB 369, Page 89
HB 414, Page 49
HB 23, Page 15
HB 18, Page 3
HB 765, Page 68
HB 260, Page 45
HB 261, Page 30
HB 733, Page 98

HB 735, Page 70
SB 126, Page 87
HB 754, Page 64
HB 811, Page 78
HB 375, Page 16
HB 376, Page 91
HB 108, Page 1
HB 832, Page 92
HB 833, Page 93
HB 834, Page 93
HB 835, Page 94
HB 836, Page 95
HB 837, Page 96
HB 838, Page 97
HB 270, Page 34
HB 584, Page 59
HB 201, Page 30
HB 422, Page 41
HB 424, Page 41
HB 358, Page 26
HB 359, Page 26
HB 351, Page 56
HB 464, Page 36
HB 637, Page 77
HB 638, Page 77
HB 203, Page 90
HB 636, Page 80
HB 666, Page 72
HB 513, Page 91

On motion of Mr. Merrill, H. R. 85 was adopted.

BILLS ON THIRD READING

And the bill:

H. 920. Relating to counties having populations of not less than 35,500 nor more than 36,500; to provide further for the compensation of certain bailiffs in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W)
Adwell	Downing	Kilgore	Paulk
Agee	Drake	Lybrand	Pearson
Bassett	Ellis	Lyons	Pruitt
Berryman (W)	Fine	Marr	Robertson
Bowers	Foshee	Mathews	Sessions
Brannan	Gafford	Mays	Slate
Brassell	Garrett	McCorquodale	Snell
Burgess	Gloor	McElhaney	Starnes
Burgreen	Graham	Meeks	Tuck
Collier	Grayson	Melton	Turnham
Collins (C)	Harper	Merrill	Weeks
Collins (W)	Harris	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Yeilding
Cook (Jefferson)	House	Neville	Young
Culver	Jackson (F)	Owen (Baldwin)	—63

And the bill:

H. 921. Relating to Covington County; authorizing the county governing body to make an appropriation for the relief of Ray Bozeman, circuit clerk of said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Pearson
Agee	Fine	Lybrand	Perloff
Bank	Foshee	Lyons	Pruitt
Bassett	Gafford	Marr	Sessions
Berryman (W)	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Snell
Brannan	Graham	McCorquodale	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgess	Harper	Meeks	Stembridge
Burgreen	Harris	Melton	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (C)	Hobbie	Money	Turnham
Collins (W)	Holladay	Nettles	Waggoner
Cook (Coffee)	House	Neville	Weeks
Dill	Jackson (F)	Owen (Baldwin)	Williams
Downing	Kilgore	Owens (W)	Yeilding
Drake	Laxson	Paulk	Young
Edington			—69

And the bill:

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Fine	Lybrand	Pruitt
Adwell	Foshee	Lyons	Robertson
Agee	Gafford	Marr	Sessions
Bassett	Garrett	Mathews	Shumate
Berryman (W)	Gloor	Mays	Slate
Bowers	Graham	McCorquodale	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Harper	Meeks	Steagall
Collier	Harris	Melton	Stembridge
Collins (C)	Higginbotham	Merrill	Stubbs
Collins (W)	Hobbie	Money	Tuck
Culver	House	Nettles	Turnham
Dill	Jackson (F)	Neville	Waggoner
Downing	Jackson (T)	Owen (Baldwin)	Weeks
Drake	Kilgore	Owens (W)	Williams
Edington	Laxson	Paulk	Yeilding
Ellis	Lemley	Pearson	Young

—68

And the bill:

H. 894. Relating to Washington County; providing for the election of members of the court of county commissioners, board of revenue, or other like governing body of Washington County by the county at large.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Adwell	Edington	Lemley	Pruitt
Agee	Ellis	Lybrand	Robertson
Bank	Fine	Lyons	Shumate
Bassett	Foshee	Marr	Slate
Berryman (W)	Gafford	Mathews	Snell
Brannan	Garrett	Mays	Starnes
Brassell	Gloor	McCorquodale	Steagall
Burgess	Graham	McElhaney	Stembridge
Burgreen	Grayson	Meeks	Stubbs
Collier	Harper	Melton	Tuck
Collins (C)	Harris	Merrill	Turnham
Collins (W)	Higginbotham	Money	Waggoner
Cook (Coffee)	Hobbie	Nettles	Weeks
Cook (Jefferson)	House	Neville	Williams
Culver	Jackson (F)	Owen (Baldwin)	Yeilding
Dill	Jackson (T)	Owens (W)	Young
Downing	Kilgore	Paulk	

—71

And the bill:

H. 907. To authorize the county governing body of Cleburne County to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Adwell	Edington	Lemley	Pruitt
Agee	Ellis	Lybrand	Shumate
Bank	Fine	Lyons	Slate
Bassett	Foshee	Marr	Smith
Berryman (W)	Gafford	Mathews	Snell
Blanton	Garrett	Mays	Starnes
Bowers	Gloor	McCorquodale	Steagall
Brannan	Graham	McElhaney	Stembridge
Brassell	Grayson	Meeks	Stubbs
Burgess	Hardin	Merrill	Tuck
Burgreen	Harper	Money	Turnham
Collier	Harris	Nettles	Waggoner
Collins (C)	Higginbotham	Neville	Weeks
Collins (W)	Hobbie	Owen (Baldwin)	Williams
Cook (Jefferson)	House	Owens (W)	Yeilding
Culver	Jackson (F)	Paulk	Young
Downing	Jackson (T)		—70

And the bill:

H. 908. Relating to Cleburne County; authorizing the appointment of sheriff's deputies, and authorizing the county governing body to determine number of deputies and their salaries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Paulk
Adwell	Edington	Lemley	Pearson
Agee	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Berryman (W)	Foshee	Marr	Slate
Blanton	Garrett	Mathews	Smith
Bowers	Gloor	Mays	Snell
Brannan	Graham	McCorquodale	Starnes
Brassell	Grayson	McElhaney	Steagall
Burgess	Hardin	Meeks	Stembridge
Burgreen	Harper	Melton	Stubbs
Collier	Harris	Merrill	Tuck
Collins (C)	Higginbotham	Money	Turnham
Collins (W)	House	Nettles	Waggoner
Cook (Coffee)	Jackson (F)	Neville	Weeks
Culver	Jackson (T)	Owen (Baldwin)	Yeilding
Dill	Kilgore	Owens (W)	Young
Downing			—69

And the bill:

H. 909. To provide an expense allowance for the judge of probate in all counties having populations of not less than 35,700 nor more than 36,600, such allowance to be payable out of the general funds of the respective counties, and to expire at the end of the term of office of the incumbent judges of probate.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)
Adwell	Downing	Kilgore	Paulk
Agee	Drake	Laxson	Pearson
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Slate
Blanton	Foshee	Marr	Snell
Bowers	Gafford	Mathews	Starnes
Brannan	Garrett	Mays	Steagall
Brassell	Gloor	McCorquodale	Stembridge
Brown	Graham	McElhaney	Stubbs
Burgess	Grayson	Meeks	Tuck
Burgreen	Hardin	Melton	Turnham
Collier	Harper	Merrill	Waggoner
Collins (C)	Higginbotham	Money	Weeks
Collins (W)	Hobbie	Nettles	Williams
Cook (Coffee)	Holladay	Neville	Yeilding
Culver	House	Owen (Baldwin)	Young
Dill	Jackson (F)		

—74

And the bill:

H. 910. To regulate the compensation payable by the county to the stenographic secretary of the district attorney of any circuit in this state composed of one county having a population of not less than 100,000 nor more than 115,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Adwell	Dobbs	Jackson (T)	Owens (W)
Agee	Downing	Kilgore	Paulk
Bank	Drake	Laxson	Pearson
Bassett	Edington	Lemley	Pruitt
Berryman (W)	Ellis	Lybrand	Robertson
Blanton	Fine	Lyons	Slate
Bowers	Foshee	Marr	Snell
Brannan	Gafford	Mathews	Starnes
Brassell	Garrett	Mays	Steagall
Brown	Gloor	McCorquodale	Stembridge
Burgess	Graham	McElhaney	Stubbs
Burgreen	Grayson	Meeks	Tuck
Collier	Hardin	Melton	Turnham
Collins (C)	Harper	Merrill	Waggoner
Collins (W)	Harris	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Yeilding
Crawford	Hobbie	Neville	Young
Culver	House		

—74

And the bill:

H. 922. To alter, rearrange and extend the boundary lines and corporate limits of the City of Jackson in Clarke County, Alabama; to exempt the annexed territory or certain parts thereof from ad valorem taxation by the city under certain conditions and to provide that certain police ordinances will not be effective in the annexed territory or certain parts thereof under certain prescribed conditions.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owen (Baldwin)
Adwell	Downing	Jackson (F)	Owens (W)
Agee	Drake	Jackson (T)	Paulk
Bank	Edington	Kilgore	Pearson
Bassett	Ellis	Laxson	Pruitt
Berryman (W)	Fine	Lemley	Slate
Blanton	Foshee	Lyons	Snell
Bowers	Gafford	Marr	Starnes
Brannan	Garrett	Mathews	Steagall
Brassell	Gloor	Mays	Stembridge
Brown	Graham	McCorquodale	Tuck
Burgess	Grayson	Meeks	Turnham
Burgreen	Hain	Melton	Waggoner
Collier	Hardin	Merrill	Weeks
Collins (W)	Harper	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Yeilding
Crawford	Hobbie	Neville	Young
Culver			

—69

And the bill:

H. 933. Regulating and providing for the payment of the compensation of certain deputies of the Sheriff in Autauga County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owens (W)
Adwell	Downing	Kilgore	Paulk
Agee	Drake	Laxson	Pearson
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Bowers	Foshee	Marr	Snell
Brannan	Gafford	Mathews	Starnes
Brassell	Garrett	Mays	Steagall
Brown	Gloor	McCorquodale	Stubbs
Burgess	Graham	Meeks	Tuck
Burgreen	Hardin	Melton	Turnham
Collier	Harper	Merrill	Waggoner
Collins (C)	Higginbotham	Money	Weeks
Collins (W)	Hobbie	Nettles	Williams
Cook (Coffee)	House	Neville	Yeilding
Crawford	Jackson (F)	Owen (Baldwin)	Young
Culver			

—69

And the bill:

H. 969. Relating to all counties having populations of not less than 15,300 nor more than 15,400 according to the most recent federal decennial census; fixing the fee for issuance of a pistol permit by the sheriff, and providing for the disposition and use of such fees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dill	Hobbie	Neville
Adwell	Dobbs	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bank	Drake	Jackson (T)	Paulk
Bassett	Edington	Kilgore	Pruitt
Berryman (W)	Ellis	Laxson	Robertson
Blanton	Fine	Lemley	Sessions
Bowers	Foshee	Lybrand	Snell
Brannan	Gafford	Lyons	Starnes
Brassell	Garrett	Marr	Steagall
Brown	Gloor	Mathews	Stubbs
Burgess	Graham	Mays	Tuck
Burgreen	Grayson	McCorquodale	Turnham
Collier	Hain	Meeks	Waggoner
Collins (C)	Hardin	Melton	Weeks
Collins (W)	Harper	Merrill	Williams
Cook (Coffee)	Harris	Money	Yeilding
Crawford	Higginbotham	Nettles	Young
Culver			—73

And the bill:

H. 976. Relating to all counties having populations of not less than 14,500 nor more than 14,900, according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of the jury commission in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Paulk
Adwell	Downing	Kilgore	Pearson
Agee	Drake	Laxson	Pruitt
Bank	Edington	Lemley	Robertson
Bassett	Ellis	Lyons	Sessions
Blanton	Fine	Manley	Shumate
Bowers	Foshee	Marr	Snell
Brannan	Garrett	Mathews	Starnes
Brassell	Gloor	Mays	Steagall
Brown	Graham	McCorquodale	Stembridge
Burgess	Grayson	Meeks	Stubbs
Burgreen	Hain	Melton	Tuck
Collier	Hardin	Merrill	Turnham
Collins (C)	Harper	Money	Waggoner
Collins (W)	Harris	Nettles	Weeks
Cook (Coffee)	Higginbotham	Neville	Williams
Crawford	Hobbie	Owen (Baldwin)	Yeilding
Culver	House	Owens (W)	Young
Dill	Jackson (F)		—74

And the bill:

H. 977. Relating to counties having a population of not less than 20,100 nor more than 21,850, according to the last or any subsequent federal decennial census; authorizing the county board of education

to provide the superintendent of education an annual expense allowance, in addition to any and all other salary, compensation or allowances now provided for such officer by the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owens (W)
Adwell	Dobbs	Jackson (F)	Paulk
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Laxson	Robertson
Berryman (W)	Ellis	Lemley	Sessions
Blanton	Fine	Lyons	Shumate
Bowers	Foshee	Manley	Snell
Brannan	Gafford	Marr	Starnes
Brassell	Garrett	Mathews	Steagall
Brown	Gloor	Mays	Stembridge
Burgess	Graham	McCorquodale	Stubbs
Burgreen	Grayson	Meeks	Tuck
Collier	Hain	Melton	Turnham
Collins (C)	Hardin	Merrill	Waggoner
Collins (W)	Harper	Money	Williams
Cook (Coffee)	Harris	Neville	Yeilding
Crawford	Higginbotham	Owen (Baldwin)	Young
Culver	Hobbie		

—74

And the bill:

H. 978. Relating to all counties having populations of not less than 14,500 nor more than 14,900 according to the last or any subsequent federal decennial census; providing for the payment by the county of expense allowances for members of boards of registrars in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Neville
Adwell	Dobbs	Jackson (F)	Owen (Baldwin)
Agee	Downing	Jackson (T)	Owens (W)
Bank	Drake	Kilgore	Paulk
Bassett	Edington	Laxson	Pearson
Berryman (W)	Ellis	Lemley	Pruitt
Bolton	Fine	Lybrand	Robertson
Bowers	Foshee	Lyons	Sessions
Brannan	Gafford	Manley	Shumate
Brassell	Garrett	Marr	Snell
Brown	Gloor	Mathews	Starnes
Burgess	Graham	Mays	Steagall
Burgreen	Grayson	McCorquodale	Stubbs
Collier	Hardin	Meeks	Tuck
Collins (C)	Harper	Melton	Turnham
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Higginbotham	Money	Yeilding
Crawford	Hobbie	Nettles	Young
Culver			

—73

And the bill:

H. 981. Relating to cities having populations of more than thirty thousand and not exceeding forty-five thousand according to the most recent federal decennial census; to validate certain elections purportedly held pursuant to Act No. 404, S. 430 of the Regular Session of 1953 (Acts, 1953, p. 472), and to amend said Act No. 404, which authorizes, provides for and regulates the adoption of the council-manager form of government by any such city, so as to provide further for notice required of the election of the first council after a city elects this form of government, and to provide for holding and conducting the elections of the first and subsequent city councils under this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owen (Baldwin)
Adwell	Dobbs	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bank	Edington	Kilgore	Pearson
Bassett	Ellis	Laxson	Pruitt
Berryman (W)	Fine	Lemley	Robertson
Blanton	Foshee	Lybrand	Sessions
Bolton	Gafford	Lyons	Shumate
Bowers	Garrett	Manley	Snell
Brannan	Gloor	Marr	Starnes
Brassell	Graham	Mathews	Steagall
Burgess	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Collier	Hardin	Meeks	Tuck
Collins (C)	Harper	Melton	Turnham
Collins (W)	Harris	Merrill	Waggoner
Cook (Coffee)	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Yeilding
Culver	Hobbie	Neville	Young

—76

And the bill:

H. 987. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of boards of registrars in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Fine	Jackson (F)
Adwell	Collier	Foshee	Jackson (T)
Agee	Collins (C)	Garrett	Kilgore
Bank	Collins (W)	Graham	Laxson
Bassett	Cook (Coffee)	Grayson	Lemley
Berryman (W)	Crawford	Hain	Lybrand
Blanton	Culver	Hardin	Lyons
Bowers	Dill	Harper	Manley
Brannan	Dobbs	Harris	Marr
Brassell	Edington	Higginbotham	Mathews
Burgess	Ellis	Hobbie	Mays

Meeks	Owens (W)	Shumate	Tuck
Melton	Paulk	Snell	Turnham
Merrill	Pearson	Starnes	Waggoner
Money	Pruitt	Steagall	Williams
Nettles	Robertson	Stembridge	Yeilding
Neville	Sessions	Stubbs	Young
Owen (Baldwin)			

—69

And the bill:

H. 988. Relating to counties having a population of not less than 15,000 nor more than 15,300; to increase the compensation of members of the jury commission in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Paulk
Agee	Dobbs	Kilgore	Pearson
Bank	Downing	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Berryman (W)	Ellis	Lyons	Sessions
Blanton	Fine	Manley	Shumate
Bowers	Foshee	Marr	Slate
Brannan	Garrett	Mathews	Snell
Brassell	Gloor	Mays	Starnes
Brown	Graham	McCorquodale	Steagall
Burgess	Grayson	Meeks	Stembridge
Burgreen	Hain	Melton	Stubbs
Collier	Hardin	Merrill	Tuck
Collins (C)	Harper	Money	Turnham
Collins (W)	Harris	Nettles	Waggoner
Cook (Coffee)	Higginbotham	Neville	Williams
Crawford	Hobbie	Owen (Baldwin)	Yeilding
Culver	Jackson (F)	Owens (W)	Young

—72

And the bill:

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Was read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Foshee	Hobbie
Agee	Collins (W)	Garrett	Jackson (F)
Bank	Crawford	Gloor	Jackson (T)
Bassett	Culver	Graham	Kilgore
Berryman (W)	Dill	Grayson	Laxson
Blanton	Dobbs	Hain	Lemley
Brannan	Downing	Hardin	Lyons
Brassell	Drake	Harper	Manley
Brown	Edington	Harris	Marr
Burgreen	Ellis	Headley	Mathews
Collier	Fine	Higginbotham	Mays

McCorquodale	Owen (Baldwin)	Shumate	Stubbs
Meeks	Owens (W)	Slate	Tuck
Melton	Paulk	Snell	Turnham
Merrill	Pearson	Springer	Waggoner
Money	Pruitt	Starnes	Williams
Nettles	Robertson	Steagall	Yeilding
Neville	Sessions	Stembridge	Young

—72

And the bill:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Was taken up.

Mr. Pearson offered the following amendment to the bill, S. 512:

Amend Senate Bill 512 as follows:

In "Section 5" delete the following: "two hundred fifty ($250)" and insert in lieu thereof the following: "one hundred fifty ($150)".

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Agee	Downing	Laxson	Pruitt
Bank	Drake	Lemley	Robertson
Bassett	Edington	Lyons	Sessions
Berryman (W)	Ellis	Manley	Shumate
Blanton	Fine	Marr	Slate
Bolton	Foshee	Mathews	Snell
Bowers	Garrett	Mays	Starnes
Brannan	Gloor	McCorquodale	Steagall
Brassell	Graham	Meeks	Stembridge
Burgess	Grayson	Melton	Stubbs
Burgreen	Hain	Merrill	Tuck
Collier	Hardin	Money	Turnham
Collins (C)	Harper	Nettles	Waggoner
Collins (W)	Harris	Neville	Weeks
Cook (Coffee)	Higginbotham	Owen (Baldwin)	Williams
Crawford	Hill	Owens (W)	Yeilding
Culver	Jackson (F)	Paulk	Young
Dill	Jackson (T)		

—74

And the bill, as thus amended, was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Brannan	Collins (W)	Drake
Agee	Brassell	Cook (Coffee)	Edington
Bank	Brown	Crawford	Ellis
Bassett	Burgess	Culver	Fine
Berryman (W)	Burgreen	Dill	Foshee
Blanton	Collier	Dobbs	Garrett
Bowers	Collins (C)	Downing	Gloor

Graham	Lemley	Nettles	Snell
Grayson	Lyons	Neville	Starnes
Hain	Manley	Owen (Baldwin)	Steagall
Hardin	Marr	Owens (W)	Stembridge
Harper	Mathews	Paulk	Stubbs
Harris	Mays	Pearson	Tuck
Higginbotham	McCorquodale	Pruitt	Turnham
Hill	Meeks	Robertson	Weeks
Jackson (F)	Melton	Sessions	Williams
Jackson (T)	Merrill	Shumate	Yeilding
Kilgore	Money	Slate	Young
Laxson			—73

And the bill:

H. 917. To fix the compensation of the judge of probate of all counties having populations of not less than 150,000 nor more than 300,000 according to the 1960 Federal Census; to require such probate judges to pay into the county treasury all costs and charges of court, fees, and commissions authorized to be collected by such probate judges; to provide that the salary herein prescribed shall not affect any expense allowance heretofore provided; and to repeal conflicting laws, including specifically Act No. 312, H. 580, Regular Session 1963 (Acts 1963, p. 792).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Kilgore	Pearson
Bank	Edington	Laxson	Pruitt
Bassett	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Manley	Shumate
Bowers	Garrett	Marr	Slate
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Burgess	Hain	McElhaney	Steagall
Burgreen	Hardin	Meeks	Stembridge
Collier	Harper	Melton	Stubbs
Collins (C)	Harris	Merrill	Tuck
Collins (W)	Higginbotham	Money	Turnham
Cook (Coffee)	Hill	Nettles	Weeks
Culver	Hobbie	Neville	Williams
Dill	House	Owen (Baldwin)	Young
Dobbs	Jackson (F)	Owens (W)	—75

And the bill:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W)
Bank	Drake	Kilgore	Paulk
Bassett	Edington	Lemley	Pearson
Berryman (W)	Ellis	Lybrand	Pruitt
Blanton	Fine	Lyons	Robertson
Bolton	Foshee	Manley	Sessions
Brannan	Gafford	Marr	Slate
Brassell	Garrett	Mathews	Smith
Burgess	Gloor	Mays	Snell
Burgreen	Graham	McCorquodale	Springer
Collier	Grayson	McLain	Starnes
Collins (C)	Hain	Meeks	Steagall
Collins (W)	Hardin	Melton	Stembridge
Cook (Coffee)	Harper	Merrill	Stubbs
Crawford	Harris	Money	Tuck
Culver	Hill	Neville	Williams
Dill	Hobbie	Owen (Baldwin)	Young
Dobbs	Jackson (F)		

—70

And the bill:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Agee	Edington	Kilgore	Paulk
Bank	Ellis	Lemley	Pearson
Bassett	Fine	Lybrand	Pruitt
Bolton	Foshee	Lyons	Robertson
Brannan	Garrett	Manley	Sessions
Brassell	Gloor	Marr	Slate
Burgess	Graham	Mathews	Smith
Burgreen	Grayson	Mays	Snell
Cameron	Hain	McCorquodale	Springer
Collier	Hardin	McElhaney	Starnes
Collins (C)	Harper	McLain	Steagall
Collins (W)	Harris	Meeks	Stembridge
Cook (Coffee)	Headley	Melton	Stubbs
Crawford	Higginbotham	Merrill	Tuck
Culver	Hill	Money	Turnham
Dill	Hobbie	Nettles	Weeks
Dobbs	Holladay	Neville	Williams
Downing	Jackson (F)	Owen (Baldwin)	Young

—76

And the bill:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Was read a third time at length and passed.

Yeas 69; Nays 4.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Bank	Edington	Jackson (T)	Paulk
Bassett	Fine	Lybrand	Pearson
Berryman (W)	Foshee	Lyons	Pruitt
Blanton	Garrett	Manley	Robertson
Bolton	Gloor	Marr	Sessions
Brannan	Graham	Mathews	Slate
Brassell	Grayson	Mays	Smith
Burgess	Hain	McCorquodale	Snell
Burgreen	Hardin	McElhaney	Springer
Cameron	Harper	McLain	Starnes
Collier	Harris	Meeks	Steagall
Collins (W)	Headley	Melton	Stubbs
Cook (Coffee)	Higginbotham	Merrill	Tuck
Culver	Hill	Money	Turnham
Dill	Hobbie	Nettles	Weeks
Dobbs	House	Owen (Baldwin)	Williams
Downing			—69

Nays:

Messrs.:	Holladay	Lemley	Yeilding
Gafford			—4

And the bill:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Paulk
Agee	Edington	Kilgore	Pearson
Bassett	Fine	Lemley	Pruitt
Berryman (W)	Foshee	Lybrand	Robertson
Bolton	Gafford	Lyons	Sessions
Brannan	Garrett	Manley	Slate
Brassell	Gloor	Marr	Smith
Burgess	Graham	Mathews	Snell
Burgreen	Grayson	Mays	Springer
Cameron	Hain	McCorquodale	Starnes
Collier	Hardin	McElhaney	Steagall
Collins (C)	Harper	Meeks	Stembridge
Collins (W)	Harris	Melton	Stubbs
Cook (Coffee)	Headley	Merrill	Tuck
Crawford	Higginbotham	Money	Turnham
Culver	Hill	Nettles	Weeks
Dill	Hobbie	Neville	Williams
Dobbs	House	Owen (Baldwin)	Yeilding
Downing	Jackson (F)	Owens (W)	—75

And the bill:

H. 236 (with amendment). To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 1 of House Bill 236 by striking out subsection (b) and inserting in lieu thereof the following:

"(b) who has served continuously for twenty years as circuit judge and/or district attorney and/or circuit solicitor and/or solicitor of a county law and equity court (provided that not more than fifteen years service as solicitor of a county law and equity court shall be included in the total number of years served); and who has become physically unable to carry out his duties on a full time basis, and who is not less than seventy years of age, proof of such disability being made by certificate of three reputable physicians; or"

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Pearson
Agee	Ellis	Lybrand	Perloff
Bassett	Fine	Lyons	Pruitt
Berryman (W)	Foshee	Manley	Robertson
Blanton	Gafford	Marr	Sessions
Bolton	Garrett	Mathews	Slate
Brannan	Gloor	Mays	Smith
Brassell	Graham	McCorquodale	Snell
Burgreen	Grayson	McElhaney	Springer
Cameron	Hain	Meeks	Steagall
Collier	Hardin	Melton	Stembridge
Collins (W)	Harper	Merrill	Stubbs
Cook (Coffee)	Harris	Money	Tuck
Crawford	Headley	Nettles	Turnham
Dill	Hill	Neville	Weeks
Dobbs	House	Owen (Baldwin)	Williams
Downing	Jackson (F)	Owens (W)	Young
Drake	Jackson (T)	Paulk	

—71

And the bill, H. 236, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Pearson
Agee	Ellis	Lybrand	Perloff
Bassett	Fine	Lyons	Pruitt
Berryman (W)	Foshee	Manley	Robertson
Blanton	Garrett	Marr	Sessions
Brannan	Gloor	Mathews	Slate
Brassell	Graham	Mays	Smith
Burgreen	Grayson	McElhaney	Snell
Cameron	Hain	Meeks	Springer
Collier	Hardin	Melton	Steagall
Collins (W)	Harper	Merrill	Stembridge
Cook (Coffee)	Harris	Money	Stubbs
Crawford	Headley	Nettles	Tuck
Culver	Higginbotham	Neville	Turnham
Dill	Hill	Owen (Baldwin)	Weeks
Dobbs	House	Owens (W)	Williams
Downing	Jackson (F)	Paulk	Young
Drake	Jackson (T)		

—70

And the bill:

H. 529. To further amend Section 3 of Act No. 443, approved August 28, 1953, entitled "An act to provide law clerks to be appointed by the chief justice and the associate justices of the supreme court, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 549), as amended by Act No. 594, General Acts of Alabama 1959, p. 1483, and by Act No. 44, General Acts of Alabama 1965, Special Sess., p. 64, and to provide the time when the amendment shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Agee	Edington	Jackson (T)	Paulk
Bassett	Ellis	Kilgore	Pearson
Berryman (W)	Fine	Lybrand	Perloff
Blanton	Foshee	Lyons	Pruitt
Bolton	Garrett	Manley	Robertson
Brannan	Graham	Marr	Slate
Brassell	Grayson	Mathews	Smith
Burgreen	Hain	Mays	Snell
Cameron	Hardin	McCorquodale	Springer
Collier	Harper	McElhaney	Starnes
Cook (Coffee)	Harris	Meeks	Steagall
Cook (Jefferson)	Headley	Melton	Stembridge
Crawford	Higginbotham	Merrill	Tuck
Culver	Hill	Money	Turnham
Dill	Hobbie	Nettles	Weeks
Dobbs	Holladay	Neville	Williams
Downing	House	Owen (Baldwin)	Young

—72

And the bill:

H. 530. To further amend Section 3 of Act No. 724, approved September 17, 1953, entitled "An act to provide law clerks to be appointed by the presiding judge and associate judges of the Court of Appeals, to prescribe their duties and fix their compensation," (General Acts of Alabama, Reg. Sess., 1953, p. 979), as amended by Act No. 595, General Acts of Alabama 1959, p. 1484, and by Act No. 43, General Acts of Alabama 1965, Special Sess., p. 63, and to provide the time when the amendment shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 3.

Yeas:

Mr. Speaker	Cook (Coffee)	Foshee	Hill
Bassett	Crawford	Garrett	Hobbie
Berryman (W)	Culver	Gloor	House
Brannan	Dobbs	Graham	Jackson (F)
Brassell	Downing	Grayson	Jackson (T)
Burgreen	Drake	Hardin	Kilgore
Cameron	Edington	Harper	Lybrand
Collier	Ellis	Harris	Lyons
Collins (W)	Fine	Higginbotham	Manley

Marr	Merrill	Pruitt	Steagall
Mathews	Money	Robertson	Stembridge
Mays	Nettles	Sessions	Stubbs
McCorquodale	Owen (Baldwin)	Slate	Tuck
McElhaney	Owens (W)	Smith	Turnham
McLain	Paulk	Snell	Weeks
Meeks	Pearson	Springer	Williams
Melton	Perloff	Starnes	Young

—68

Nays: Messrs. Dill, Gafford and Lemley. —3

And the bill:

H. 332. To empower the Director of Conservation with authority to prohibit the importation into this State of any bird, animal, reptile, amphibian, or fish when such importations are not in the best interest of the State of Alabama; to provide regulatory authority to the Director of Conservation to implement the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff
Agee	Drake	Lemley	Pruitt
Bassett	Edington	Lybrand	Robertson
Berryman (W)	Ellis	Lyons	Sessions
Blanton	Fine	Manley	Slate
Bowers	Foshee	Marr	Smith
Brannan	Gafford	Mathews	Snell
Brassell	Garrett	Mays	Starnes
Burgreen	Gloor	McCorquodale	Steagall
Cameron	Graham	McElhaney	Stembridge
Collier	Grayson	McLain	Stubbs
Collins (C)	Hardin	Meeks	Tuck
Collins (W)	Harris	Melton	Turnham
Cook (Coffee)	Higginbotham	Merrill	Waggoner
Cook (Jefferson)	Hill	Nettles	Weeks
Crawford	Hobbie	Owen (Baldwin)	Williams
Culver	House	Owens (W)	Yeilding
Dill	Jackson (F)	Paulk	Young
Dobbs	Jackson (T)	Pearson	

—75

And the bill:

H. 668. To make a supplemental appropriation to the Alabama Historical Commission for the purchase of land at Old St. Stephens in Washington County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brassell	Collins (C)
Agee	Blanton	Burgreen	Collins (W)
Bank	Bolton	Cameron	Cook (Coffee)
Bassett	Brannan	Collier	Cook (Jefferson)

Crawford	Headley	McCorquodale	Sessions
Culver	Higginbotham	McElhaney	Slate
Dill	Hill	Meeks	Smith
Dobbs	Hobbie	Melton	Snell
Downing	House	Merrill	Springer
Edington	Jackson (F)	Money	Starnes
Ellis	Jackson (T)	Nettles	Steagall
Fine	Kilgore	Neville	Stembridge
Foshee	Laxson	Owen (Baldwin)	Stubbs
Gafford	Lemley	Owens (W)	Tuck
Garrett	Lybrand	Paulk	Turnham
Gloor	Lyons	Pearson	Waggoner
Graham	Marr	Perloff	Weeks
Grayson	Mathews	Pruitt	Williams
Hardin	Mays	Robertson	Young

—76

And the bill:

H. 288 (with amendment). To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subject to future change by the legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Business and Labor, said Committee amendment being as follows:

Amend Section 3 of House Bill No. 288 by adding at the end thereof the following: "not to exceed more than thirty dollars a day."

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Bank	Drake	Lemley	Perloff
Bassett	Edington	Lyons	Pruitt
Berryman (W)	Ellis	Manley	Robertson
Blanton	Fine	Marr	Shumate
Brannan	Foshee	Mathews	Snell
Brassell	Garrett	Mays	Springer
Burgreen	Gloor	McCorquodale	Starnes
Cameron	Graham	McElhaney	Steagall
Collier	Grayson	Meeks	Stembridge
Collins (C)	Hain	Melton	Stubbs
Collins (W)	Hardin	Merrill	Tuck
Cook (Coffee)	Headley	Money	Turnham
Cook (Jefferson)	Higginbotham	Nettles	Waggoner
Crawford	Hill	Neville	Weeks
Culver	Hobbie	Owen (Baldwin)	Williams
Dill	Jackson (F)	Owens (W)	Yeilding
Dobbs	Jackson (T)	Paulk	Young

—72

Mr. Downing offered the following substitute to the bill, H. 288, as thus amended:

A BILL
TO BE ENTITLED
AN ACT

To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subject to future change by the legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions. The following words and phrases, wherever used in this Act, shall have the following respective meanings, unless the context clearly indicates a different meaning:

"Association" means the Alabama Peace Officers' Association as now or hereafter constituted.

"Board" means the Board of Commissioners of the Fund, and any successor thereto.

"Executive Director" means the executive director of the Board.

"Fund" means the Alabama Peace Officers' Annuity and Benefit Fund created herein.

"Member" means any Peace Officer who is a member of the Fund and who is in good standing by virtue of having paid all sums herein required to be paid by him at the applicable times herein referred to.

"Membership Service" means the period of continuous employment of a Member as a Peace Officer from the date he becomes a Member to the applicable time herein referred to.

"Month" means a period of thirty days.

"Order" means the Fraternal Order of Police.

"Peace Officer" means any person employed by the State, any political subdivision thereof, or any municipal corporation therein, who is required by the terms of his employment, whether such employment exists by virtue of election or appointment, to give his full time to the preservation of public order and the protection of life or property, or the detection of crime in the State, and shall include, without limiting the generality of the foregoing, any sheriff, deputy sheriff, pardon, parole or probation officer, municipal policeman, enforcement officer for liquor or conservation laws, district attorney, assistant district attorney, assistant attorney general, and any commissioner, deputy commissioner, warden, guard or matron at any state, county or municipal jail, house of correction or place of confinement of persons convicted for violation of any act, resolution or ordinance, who meets the foregoing requirement of full-time employment in the capacity herein referred to, but shall not include any municipal inspector.

"Prior Service" means the period of continuous employment of a Member as a Peace Officer from the time of his initial employment as such Peace Officer to the date he becomes a Member.

"Qualified Service" means the Prior Service and Membership Service of a Member.

"State" means the State of Alabama.

Section 2. Creation of the Board. There is hereby created a board to be known as the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund. The Board shall consist of three persons, one appointed by the governor of the State for a period of six years and one elected by the members of the Association to serve for a period of four years and one elected by the members of the Order to serve for a period of four years; provided that the first person elected by the Association shall serve for a period of two years. Thereafter each member of the Board elected by the Association shall serve for a period of four years. Any member of the Board shall be eligible to succeed himself. The term of each person appointed or elected to the Board shall begin on the date of his appointment or election and any

person so appointed or elected whose successor shall not have been appointed or elected shall continue to serve until the appointment or election of such successor. Any member of the Board elected by the Association or the Order who shall cease to be a member of the Association or Order, as the case may be, during his incumbency shall be replaced as a member of the Board by a member of the Association or Order, as the case may be, who shall be appointed by its executive committee for the then unexpired term.

Section 3. Compensation of Board Members. Each member of the Board shall be paid at the rate of $10 per day for each day's attendance at meetings of the Board, not to exceed 12 such meetings in any single calendar year, and each shall be paid for his reasonable out of pocket expenses and disbursements in attending such meetings, but in no event shall said amount exceed $30 per day.

Section 4. Organization and Operation of the Board. Any two members of the Board shall constitute a quorum sufficient for the transaction of any business and no business shall be transacted by the Board and no action taken unless a quorum be present. The members of the Board shall elect a chairman of the Board and select an Executive Director, who shall be the chief executive officer of the Board. The Chairman of the Board shall be a member of the Board but the Executive Director need not be such a member. The Executive Director shall serve as such at the pleasure of the Board, which may employ such other agents and employees as the Board may deem necessary. Any such employees shall be subject to the Alabama Merit System Act. The Executive Director shall be compensated for his services as such in an amount to be fixed by the Board but not to exceed $7,500 annually. The Executive Director shall have such powers and authority as shall be delegated to him by the Board and shall perform such services as the Board may direct. Any member of the Board and any employee thereof who handles funds of the Board shall be bonded by a surety company qualified to do business in the State in amounts sufficient to protect the Board against any loss which may be incurred with respect to the funds so handled. Anything in this Act to the contrary notwithstanding, the Board shall not authorize or incur expenses in any period exceeding the appropriation out of the Fund made to the Board by the legislature of the State for such period.

Section 5. Creation of the Fund. A special fund is hereby established and placed under the management of the Board for the purpose of providing retirement allowances and other benefits under the provisions of this Act for Members of the Fund. The Fund shall be known as the Alabama Peace Officers' Annuity and Benefit Fund, by and in which name all of its business shall be transacted, all of its funds invested, and all of its cash and securities and other property held in trust for the purposes for which received. All amounts received by the Board pursuant to the provisions hereof shall be paid into the Fund. The Board shall have such control of the Fund as shall not be inconsistent with the provisions of this Act and with the laws of the State. All moneys of the Board shall either be (a) covered into the State Treasury or (b) deposited in a special trust account or accounts in any bank or banks in the State, each of which shall have a combined capital and surplus of not less than $2,000,000, and may be withdrawn therefrom by vouchers or checks signed by the Executive Director pursuant to authorizations given by the Board. All investments of moneys in the Fund shall be either (i) deposited with the State Treasurer for safekeeping upon receipt of the State Treasurer therefor, or (ii) deposited with any such bank in a custodial account. The Board shall have authority to expend moneys in the Fund in accordance with the provisions of this Act and to invest any moneys so received pending other need therefore in any investments which are legal investments for in-

surance companies under the laws of the State. No member of the Board shall have any interest in any such investment or receive any commission with respect thereto.

Section 6. Powers of the Board. The Board shall have the following powers in carrying out its responsibilities under this Act: to collect all moneys provided in this Act to be collected by it; to pay all of its administrative expenses, within the limitations herein contained; to cause its moneys to be invested and its investments sold or exchanged and the proceeds and income collected; to determine who is a Peace Officer; to pass upon all applications for annuities and benefits provided for in this Act; to adopt such rules and regulations as may be necessary or desirable to expedite the administration of the affairs of the Board and as shall not be inconsistent with the laws of the State; to provide descriptive literature respecting the Fund; to pay all benefits and annuities that may be determined to be due under this Act and under the rules and regulations of the Board; to make refunds and repayments to which Members may be entitled hereunder; to employ such agents, attorneys, actuaries, and other specialized personnel as shall be necessary or desirable to enable the Board to carry on its functions in a proper and actuarily sound manner; to receive by gift, grant, devise, or bequest any moneys or properties of any nature or description; to carry out any powers expressly granted elsewhere in this Act to the Board; and all other powers necessary for the proper administration of the provisions of this Act.

Section 7. Books and Accounts. It shall be the duty of the Board to keep permanent records of its membership, receipts, disbursements, investments and all of its other affairs hereunder. Such records of the Members shall show with respect to each Member, his name, age, date of beginning of Prior Service, date of beginning of Membership Service, the amount of all payments made by him to the Fund, the date of any incapacity and the nature thereof and reason therefor, the amount of all annuities or benefits, if any, paid to him hereunder, and such other information with respect to each Member as shall be deemed necessary by the Board for the proper determination of eligibility for annuities and benefits hereunder and the amount of potential liability of the Fund for the same. All records, papers, documents and other date of the Board shall be carefully preserved in a safe, secure and permanent manner.

Section 8. Eligibility of Members of the Fund; Monthly Charge. Any Peace Officer serving as such on the effective date of this Act shall be eligible to become a Member. Nothing herein shall be construed as requiring that any Member of the Fund become a member of the Association or the Order, or that any member of the Association or the Order become a Member of the Fund. Each Peace Officer who becomes a Member shall pay to the Fund a regular fee of Ten Dollars ($10.00) per calendar month, to be paid on or before the tenth calendar day of each month so long as he is a Member until he becomes entitled to benefits hereunder. At the time of initial application, the Member shall pay an amount equal to Ten Dollars ($10.00) multiplied by the number of Months intervening between the effective date of this Act and the time at which application is made or, if such person was not a Peace Officer on the effective date of this Act, the amount to be paid at the time of application shall be Ten Dollars ($10.00) multiplied by the number of Months intervening between the date of employment of such person as a Peace Officer and the date of his said application. The Board shall furnish to any Peace Officer requesting the same an application blank for membership in the Fund. After making the payment required at the time of initial application, payments shall be made each Month thereafter in the amount herein specified. If any Member shall not pay the monthly fee for sixty (60) days after its due date, the

Board shall give him notice of the termination of his membership in the Fund and of his right to a refund, and unless he makes application for a refund pursuant to Section 14 hereof within sixty (60) days after the mailing of such notice, all amounts theretofore paid by him to the Fund shall be forfeited. Any Member so terminated who later applies for membership in the Fund shall lose credit for all of his Membership Service up to the time of such termination.

Section 9. Additional Court Costs Imposed; Disposition Thereof. In all criminal and quasi-criminal proceedings for the violation of laws of the State or municipal ordinances which are tried in any court or tribunal in the State, wherein the defendant is adjudged guilty or pleads guilty or wherein a bond is forfeited and the result of the forfeiture is a final disposition of the case or wherein any penalty is imposed, there is hereby imposed an additional cost of court in the amount of One Dollar ($1.00) for each moving traffic violation. Five Dollars ($5.00) in each such proceeding where the offense constitutes a misdemeanor and Ten Dollars ($10.00) in each such proceeding where the offense constitutes a felony. The amount of all such costs shall be remitted by the person or authority collecting the same to the Executive Director on the tenth day of each month next succeeding that in which the cost is paid. It shall be the duty of the clerk or other authority collecting the said court costs to keep accurate records of the amounts due to the Board for the benefit of the Fund hereunder.

Section 10. Retirement Benefits. Any Member who has at least thirty-six (36) Months of Membership Service shall, upon proper application and proof being presented to the Board on forms to be provided by the Board for such purpose and upon approval of such application by the Board, be entitled to an annuity or benefit in one of the following amounts:

(a) The sum of $75 per calendar month if the Member has 300 Months of Qualified Service and is at least 55 years of age;

(b) The sum of $100 per calendar month if the Member has 360 Months of Qualified Service and is at least 55 years of age; and

(c) The sum of $40 per calendar month if the Member has 180 Months of Qualified Service and is at least 65 years of age.

No Member shall be entitled to an annuity or benefit under this section unless at the time of his application for the same or within three months prior to such time he was employed as a Peace Officer and at the time of his said application his duties as a Peace Officer have been terminated, provided, that the appropriate benefits shall be payable to any Member upon his attaining the age of 55, if such Member retired from active duty as a Peace Officer with at least 300 Months of Qualified Service and 36 Months of Membership Service. There shall accompany any application made pursuant to this section evidence satisfactory to the Board of the date of birth of the Member. If any Member shall be receiving retirement benefits hereunder and shall thereafter reenter employment as a Peace Officer, then the payment of retirement benefits hereunder shall be stopped so long as he is so employed, but shall resume upon termination of his employment as a Peace Officer if during such period of reemployment he made all required monthly payments to the Fund. Any employment as a Peace Officer after such initial retirement and during which such payments are made to the Fund shall be included in the computation of Membership Service for the purpose of determining further rights and benefits hereunder.

Anything in this Section to the contrary notwithstanding, if any person eligible to become a Member becomes a Member within three

Months after the effective date of this Act and makes all payments herein required to be made by a Member for a period of 36 Months thereafter, and if such person has at least 25 years of Qualified Service prior to the time he applied for benefits under this Section, then such Member shall be entitled to retirement benefits under whichever of clauses (a), (b) or (c) of this Section shall be appropriate, whether or not such Member at the time of such application has 36 Months of Membership Service and whether or not he is at the time, or within three Months prior to such time, employed as a Peace Officer.

Section 11. Disability Payments. Any Member (a) who has twelve (12) Months of Membership Service, (b) who becomes totally or permanently disabled as a result of a heart attack or any injury received in the line of duty as a Peace Officer and not as a result of his misconduct, and (c) who makes proper application to the Board on a form to be supplied by the Board and submits evidence satisfactory to the Board of such total or permanent disability and the circumstances giving rise to its occurrence, shall be entitled to be paid benefits as follows so long as such disability continues:

(a) $36 per calendar month of his Qualified Service is at least 12 Months and not more than 23 Months;

(b) $72 per calendar month if his Qualified Service is at least 24 Months and not more than 35 Months;

(c) $108 per calendar month if his Qualified Service is at least 36 Months and not more than 47 Months;

(d) $144 per calendar month if his Qualified Service is at least 48 Months and not more than 59 Months, and

(e) $180 per calendar month if his Qualified Service is 60 Months or more.

Any benefit paid under this section shall be paid for a period of not longer than twenty-four (24) calendar months. Any Member disabled as herein defined for a period of more than twenty-four (24) calendar months shall be eligible for retirement benefits hereunder if he otherwise meets the requirements of Section 10 hereof. The Board shall have the right to require that any applicant for benefits under this section be examined by one or more physicians on behalf of the Board and at its expense. Failure of any such applicant to subject himself to such examination shall be sufficient grounds for the Board to deny payment of benefits under this section.

Section 12. Death Benefits. Each Member shall be issued a certificate by the Board in which the Board shall agree to pay to a beneficiary to be designated by such Member, upon his death, a stipulated amount based upon the number of Months of Membership Service and to be conditioned upon the satisfaction of all obligations of the Member to the Fund, as follows: (a) for less than 36 Months of Membership Service, the sum of $500, (b) for Membership Service of 36 Months through 47 Months, the sum of $600; (c) for Membership Service of 48 Months through 59 Months, the sum of $800, (d) and for Membership Service of 60 Months or more, the sum of $1,000. If any Member is killed in the line of duty, there shall be paid to the widow of such Member, or he has no widow, in equal shares to his minor children, if any, in monthly installments of $100, the total amount of membership fees paid by such Member hereunder, until the total amount of such membership fees so paid shall have been refunded. Such repayment of membership fees shall be in addition to the death benefit hereinabove provided.

Section 13. Actuarial Study Required. No annuity or benefit shall be paid under this Act unless and until the Board shall have appointed and employed an actuary to make an actuarial evaluation of the receipts and income accruing to the Fund, and the potential liabilities of the Fund based on the age, disability status, and other material factors respecting the Members, as such facts and figures exist on the date two years after the effective date of this Act. The actuary shall consider the expected mortality, disability and retirement status of the Members, and the Qualified Service and Membership Service of Members and shall determine what percentage of the proposed payments, annuities and benefits set forth in this Act may be paid if the Fund is to be kept on an actuarily sound basis and in an actuarily solvent condition. Upon receipt of the report of the actuary, the Executive Director shall present it to a meeting of the Board, which shall have the power and shall be required to make such prorations of annuities and benefits as are recommended by the said actuary. Nothing contained in this section and in this Act shall be construed as granting to the Board the power to require higher contributions to the Fund by any Member or to increase the amount of court costs imposed in Section 9 hereof. Any adjustment shall be only by the pro rata reduction of annuities and benefits to be paid hereunder. Such an actuarial study shall be made ever three years after the first such study and in the event any such study shall show that moneys are then available to pay all annuities and benefits specified herein or to pay amounts in excess of those indicated by any previous report and established by the Board, the Board shall make such upward adjustments, but not beyond the annuities and benefits specified herein. If any such report should show that further downward adjustments are required, then such adjustments shall be made by the Board as shall be necessary to carry out the recommendations of the actuary so employed. Any increase or reduction in benefits resulting from any such actuarial study or from any subsequent amendment of this Act shall be applicable to all persons then receiving such benefits, even though such persons had theretofore received benefits at a different rate. In no event shall the Board, the Fund, the Association, the Order, or any member, officer, director, or employee of any thereof, or the State, or any subdivision thereof or any municipality therein, be liable to any Member of any beneficiary or any representative of any Member or any beneficiary of the Fund for any deficiency in payments made pursuant to this Act and pursuant to any pro rata reduction of annuities or benefits.

Section 14. Refunds. Any Member shall be entitled at any time to withdraw from the Fund and, upon application for such withdrawal on forms to be supplied by the Board and approved by it, shall be entitled to receive in cash ninety per cent (90%) of all amounts theretofore paid to the Fund by such Member, after duducting from the total amount so paid by the Member all annuities and benefits theretofore paid to such Member. No refund shall be paid until six months after the application therefor. Any Member who withdraws and receives such refund shall not thereafter have any rights with respect to the Fund and may not thereafter be entitled to become a Member except as a new Member. Any Membership Service of such Member at the time of his withdrawal may not be credited on any later Qualified Service in the determination of annuities and benefits, should such Member thereafter reapply for membership in the Fund. The provisions of this section shall be applied to any person who ceases to be a Peace Officer. Any Member who ceases to be a Peace Officer may elect not to receive any such refund for a period of not more than 36 Months. If within the said 36 Months' period the said person shall again become a Peace Officer, he may be reinstated as a Member without loss of his accumulated Qualified Service prior to the time of his initial withdrawal upon payment of all sums which he would have paid had he been a Member during the period of his withdrawal.

Section 15. Military Service. Any Member who is drafted into any branch of the armed forces of the United States of America shall not be required to remit any payments to the Fund during his period in the armed forces, but no such period shall be credited as Membership Service. Any Member who is drafted into the armed forces of the United States and who elects to make the monthly payments herein required of Members shall have his service as a member of the armed forces counted as Qualified Service, up to a total of sixty Months, provided that within three Months after discharge from the armed forces, the said Member reenters employment as a Peace Officer and pays to the Fund all amounts which he would have paid had he not been a member of the armed forces. Any person heretofore serving as a Peace Officer who (a) at the time of adoption of this Act is serving in the armed forces of the United States, and (b) shall hereafter return to service as a Peace Officer under circumstances which would entitle him to reinstatement as a Member if this Act had been in effect when he entered the armed forces and he had been a Member at the time of such entry, and (c) pays all amounts which any person returning from the armed forces would be required to pay to obtain such reinstatement, may make such payments and receive all benefits as if he entered the armed forces subsequent to the effective date of this Act and were thereafter discharged, and shall be entitled to count as Membership Service his service in the armed forces since the effective date of this Act. Any Member who enlists in the armed forces of the United States, except during a time of war declared by the Congress of the United States, shall not be entitled to the benefits of this Section 15 but shall be entitled to the benefits of Section 14 hereof.

Section 16. Change in Employment. If any Peace Officer shall have changed or shall change from one employer to another without changing his status as a Peace Officer, whether during his period of Prior Service or during his period of Membership Service, such change in employment shall have no effect on the computation of the period of his Qualified Service, so long as one employment as Peace Officer immediately follows the other with no employment in any other capacity intervening.

Section 17. Reports and Annual Audits. The Executive Director shall make semiannual reports to the Board showing the total amount of money on hand at the time of such report, all investments then held by the Board, and itemizing by classifications all receipts and disbursements since the last such semiannual report. The Examiner of Public Accounts of the State is hereby authorized and directed to make an annual audit of the acts and affairs of the Board for each fiscal year of the Board and to make a complete report of the same for the Legislature of Alabama. The said audit shall cover all monies received by the Board and all expenditures made by the Board during the period covered by the audit.

Section 18. Limitation on Rights. All rights, annuities and benefits provided herein shall be subject to future change by the Legislature of the State, and subject to future changes or revisions as herein provided, and no Member or beneficiary herein provided for or hereafter existing shall be deemed to have any vested right in the Fund or to any annuity or benefit provided herein.

Section 19. Rights Not Assignable. None of the moneys herein referred to or any benefit or annuity payable hereunder shall be subject to attachment, garnishment or judgment rendered against any Member or any beneficiary entitled to receive the same nor shall any such be assignable. All payments of such annuities and benefits shall be paid directly to the Member or to the beneficiary herein provided for.

Section 20. Provisions Cumulative. The annuities and benefits herein provided for shall not repeal or be considered to be in substitution for any other annuity or benefit provided for by law or any other retirement system, whether municipal, county, State or federal. Participation by a Peace Officer in any other such program, plan, fund or system shall not bar participation by such Peace Officer in the Fund.

Section 21. Partial Invalidity. If any clause, sentence, paragraph or section of this Act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, unconstitutional or otherwise unlawful, such judgment shall not affect, impair or invalidate any other portion of this Act, but shall be confined in its operation to the clause, sentence, paragraph or section directly involved in the controversy in which judgment shall be granted.

Section 22. Appropriation. There is hereby appropriated from the Fund the sum of $1,000 for payment of the expenses of the Board until September 30, 1969.

Section 23. Effective Date of Act. This Act shall take effect upon its passage by the Legislature and approval of the Governor, or upon its otherwise becoming a law.

MOTION TO CARRY OVER

Mr. Slate moved to carry over the bill, H. 288, to the twenty-third legislative day.

MOTION TO TABLE CARRIED

On motion of Mr. Downing, the motion of Mr. Slate to carry-over the bill, H. 288, was tabled.

Yeas 50; Nays 31.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hobbie	Pruitt
Agee	Dobbs	Jackson (T)	Robertson
Bank	Downing	Marr	Sessions
Bassett	Drake	Mays	Shumate
Beck	Ellis	McCorquodale	Snell
Brannan	Fine	Meade	Starnes
Brassell	Garrett	Melton	Steagall
Brown	Gloor	Merrill	Stubbs
Burgess	Graham	Owen (Baldwin)	Turnham
Burgreen	Grayson	Owens (W)	Waggoner
Cameron	Hain	Paulk	Watkins
Collier	Hardin	Pearson	Weeks
Cook (Coffee)	Headley		

—50

Nays:

Messrs.:	Harris	Mathews	Perloff
Berryman (W)	Hill	McElhaney	Slate
Blanton	Jackson (F)	McLain	Smith
Collins (C)	Kilgore	Meeks	Springer
Crawford	Laxson	Money	Stembridge
Dill	Lemley	Nettles	Williams
Edington	Lyons	Neville	Wright
Foshee	Malone	Owens (W.E.)	Yeilding

—31

The question was then on the adoption of the substitute offered by Mr. Downing to the bill, H. 288.

And the substitute was adopted.

Yeas 67; Nays 16.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hill	Owens (W)
Agee	Culver	Hobbie	Paulk
Bank	Dobbs	Jackson (F)	Pearson
Bassett	Downing	Jackson (T)	Perloff
Beck	Ellis	Laxson	Robertson
Berryman (W)	Fine	Lyons	Shumate
Blanton	Foshee	Marr	Snell
Bowers	Gafford	Mathews	Starnes
Brannan	Garrett	Mays	Steagall
Brassell	Gloor	McCorquodale	Stembridge
Brown	Graham	Meade	Stubbs
Burgess	Grayson	Meeks	Turnham
Burgreen	Hain	Melton	Waggoner
Cameron	Hardin	Merrill	Watkins
Collier	Harper	Nettles	Weeks
Collins (W)	Headley	Neville	Young
Cook (Coffee)	Higginbotham	Owen (Baldwin)	—67

Nays:

Messrs.:	Edington	Malone	Smith
Bolton	Harris	Money	Springer
Collins (C)	Kilgore	Owens (W.E.)	Wright
Crawford	Lemley	Slate	Yeilding
Dill			—16

And the bill, H. 288, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 12.

Yeas:

Mr. Speaker	Crawford	House	Owens (W)
Agee	Culver	Jackson (F)	Paulk
Bank	Dobbs	Jackson (T)	Pearson
Bassett	Downing	Laxson	Perloff
Beck	Drake	Lemley	Robertson
Berryman (W)	Ellis	Lyons	Sessions
Blanton	Fine	Marr	Shumate
Bolton	Foshee	Mathews	Snell
Brannan	Garrett	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Brown	Grayson	McElhaney	Stembridge
Burgess	Hain	Meade	Stubbs
Burgreen	Hardin	Melton	Tuck
Cameron	Harper	Merrill	Turnham
Collier	Headley	Money	Waggoner
Collins (W)	Higginbotham	Nettles	Watkins
Cook (Coffee)	Hill	Neville	Weeks
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Young
			—72

Nays:

Messrs.:	Harris	Owens (W.E.)	Springer
Collins (C)	Malone	Slate	Wright
Edington	McLain	Smith	Yeilding
Gafford			—12

And the bill:

H. 293. To establish minimum wages in Alabama; and to provide penalties for violations of the Act.

Was taken up.

UNANIMOUS CONSENT GRANTED TO CARRY OVER

At the request of Mr. Downing, unanimous consent was granted for the bill, H. 293, to be carried over to the twenty-first legislative day.

MOTION IN WRITING ON H. 777 TO RECONSIDER

Mr. Bolton, having voted with the prevailing side, filed a motion in writing to reconsider the vote by which H. 777 was indefinitely postponed.

And the motion to reconsider was adopted.

Yeas 51; Nays 17.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hill	Owen (Baldwin)
Agee	Culver	House	Owens (W)
Bank	Downing	Jackson (F)	Owens (W.E.)
Beck	Drake	Laxson	Paulk
Berryman (W)	Edington	Lybrand	Snell
Blanton	Ellis	Malone	Steagall
Bolton	Foshee	Marr	Stembridge
Brannan	Garrett	Mays	Stubbs
Brassell	Graham	McCorquodale	Tuck
Cameron	Grayson	Meade	Turnham
Collier	Hain	Melton	Wright
Collins (W)	Harris	Merrill	Yeilding
Cook (Coffee)	Headley	Neville	—51

Nays:

Messrs.:	Doss	Lemley	Nettles
Bassett	Gafford	Lyons	Sessions
Burgess	Gloor	McElhaney	Shumate
Burgreen	Hardin	Money	Slate
Crawford	Jackson (T)		—17

And the bill:

H. 777. To amend further Section 2 of Act No. 302, H. 208, approved September 5, 1919 (General Acts of Alabama, p. 268) entitled "An Act to provide for the appointment of an official court reporter by each circuit judge in Alabama; to fix their compensation, define their duties and provide for special reporters in certain cases."

Was taken up.

Mr. Bolton offered the following amendment to the bill, H. 777:

In "Section 2 of H. B. 777, line 22, strike the words "of a transcript fee of one dollar and fifty cents per page" and insert in lieu thereof the words "fifteen cents per one hundred words.

And the amendment was adopted.

Yeas 74; Nays 8.

Yeas:

Mr. Speaker	Drake	Lybrand	Paulk
Agee	Edington	Lyons	Pearson
Bassett	Ellis	Malone	Perloff
Beck	Fine	Manley	Pruitt
Berryman (W)	Foshee	Marr	Robertson
Blanton	Garrett	Mathews	Smith
Bolton	Graham	Mays	Snell
Brannan	Grayson	McCorquodale	Springer
Brassell	Hain	McLain	Starnes
Burgreen	Hardin	Meade	Steagall
Cameron	Harper	Meeks	Stembridge
Collier	Harris	Melton	Stubbs
Collins (C)	Headley	Merrill	Tuck
Collins (W)	Higginbotham	Nettles	Turnham
Cook (Coffee)	Hill	Neville	Williams
Cook (Jefferson)	House	Owen (Baldwin)	Wright
Crawford	Jackson (F)	Owens (W)	Yeilding
Culver	Jackson (T)	Owens (W.E.)	Young
Downing	Laxson		—74

Nays:

Messrs.:	Gloor	Lemley	Shumate
Burgess	Kilgore	Money	Slate
Gafford			—8

And the bill, H. 777, as thus amended, was again read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 9.

Yeas:

Mr. Speaker	Edington	Lyons	Paulk
Agee	Fine	Malone	Pearson
Bassett	Foshee	Manley	Perloff
Beck	Garrett	Marr	Pruitt
Berryman (W)	Graham	Mathews	Robertson
Blanton	Grayson	Mays	Smith
Bolton	Hain	McCorquodale	Snell
Brannan	Hardin	McLain	Springer
Brassell	Harper	Meade	Starnes
Burgreen	Harris	Meeks	Steagall
Cameron	Headley	Melton	Stembridge
Collins (C)	Higginbotham	Merrill	Stubbs
Collins (W)	Hill	Nettles	Tuck
Cook (Coffee)	House	Neville	Turnham
Cook (Jefferson)	Jackson (F)	Owen (Baldwin)	Williams
Culver	Jackson (T)	Owens (W)	Wright
Downing	Laxson	Owens (W.E.)	Yeilding
Drake	Lybrand		—70

Nays:

Messrs.:	Gafford	Money	Slate
Burgess	Gloor	Shumate	Young
Ellis	Lemley		—9

UNANIMOUS CONSENT GRANTED

At the request of Mr. Brown, unanimous consent was granted for the Journal of the House to show that had he been in the House chambers he would have voted Yea on the bill, H. 910, and on the bill, H. 492.

And the bill:

H. 653. To amend Code of Alabama 1940, Title 29, Section 73, which relates to unlawful sites for liquor stores in certain municipalities classified according to population, so as to change such classification.

Was taken up.

On motion of Mr. Garrett, the bill, H. 653, was indefinitely postponed.

Yeas 53; Nays 21.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Agee	Drake	Laxson	Pearson
Beck	Ellis	Lemley	Slate
Berryman (W)	Fine	Malone	Snell
Blanton	Foshee	Marr	Steagall
Brannan	Gafford	McCorquodale	Stembridge
Brassell	Garrett	Meade	Stubbs
Brown	Harper	Melton	Tuck
Burgreen	Headley	Merrill	Turnham
Collins (W)	Higginbotham	Money	Williams
Cook (Coffee)	Hill	Nettles	Wright
Cook (Jefferson)	Hobbie	Owens (W)	Yeilding
Culver	House	Owens (W.E.)	Young
Dobbs			—53

Nays:

Messrs.:	Graham	Mays	Perloff
Bassett	Grayson	McElhaney	Sessions
Collins (C)	Hardin	McLain	Smith
Dill	Jackson (T)	Neville	Starnes
Downing	Lyons	Owen (Baldwin)	Waggoner
Edington	Manley		—21

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until Tuesday, July 22, 1969, at 2 o'clock P.M., was lost.

Yeas 27; Nays 61.

Yeas:

Mr. Speaker	Collier	Lyons	Pruitt
Beck	Crawford	Mathews	Shumate
Blanton	Dill	Meade	Slate
Brannan	Doss	Melton	Starnes
Brassell	Fine	Merrill	Steagall
Burgess	Hain	Neville	Weeks
Burgreen	Headley	Paulk	—27

Nays:

Messrs.:	Foshee	Lybrand	Robertson
Agee	Gafford	Malone	Sessions
Bank	Garrett	Manley	Smith
Bassett	Gloor	Marr	Snell
Berryman (W)	Graham	Mays	Springer
Bolton	Grayson	McCorquodale	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Collins (C)	Harper	McLain	Tuck
Collins (W)	Higginbotham	Meeks	Turnham
Cook (Coffee)	Hill	Money	Waggoner
Cook (Jefferson)	Hobbie	Nettles	Watkins
Culver	House	Owens (W)	Williams
Dobbs	Jackson (F)	Owens (W.E.)	Wright
Downing	Jackson (T)	Pearson	Yeilding
Edington	Kilgore	Perloff	Young
Ellis	Laxson		

—61

And the bill:

H. 45. To amend and re-enact Section 619 (10) of Title 51 of the Code of Alabama dealing with recordation and taxation of deeds, mortgages, and instrumments of like character.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nay 1.

Yeas:

Mr. Speaker	Ellis	Lybrand	Owens (W.E.)
Agee	Foshee	Lyons	Paulk
Bassett	Gafford	Malone	Pearson
Beck	Garrett	Manley	Perloff
Blanton	Gloor	Marr	Pruitt
Brannan	Graham	Mathews	Robertson
Brassell	Grayson	Mays	Sessions
Brown	Hain	McCorquodale	Smith
Burgess	Hardin	McElhaney	Snell
Burgreen	Harper	McLain	Springer
Collier	Harris	Meade	Starnes
Collins (C)	Headley	Meeks	Steagall
Collins (W)	Higginbotham	Melton	Stembridge
Cook (Coffee)	Hill	Merrill	Stubbs
Crawford	Hobbie	Money	Williams
Dill	Jackson (F)	Nettles	Wright
Downing	Jackson (T)	Neville	Yeilding
Drake	Kilgore	Owen (Baldwin)	Young
Edington	Laxson		

—74

Nay: Mr. Lemley. —1

And the bill:

H. 439. To transfer and reappropriate certain monies heretofore appropriated to the Farmers Market Authority for other expenses to such Authority's account for equipment purchases; and to authorize and regulate the use of funds hereby transferred and reappropriated.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Agee	Ellis	Lybrand	Pearson
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Malone	Pruitt
Berryman (W)	Gafford	Manley	Robertson
Blanton	Garrett	Marr	Shumate
Brannan	Graham	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McCorquodale	Springer
Burgess	Hardin	McElhaney	Starnes
Burgreen	Harper	McLain	Steagall
Collier	Harris	Meade	Stembridge
Collins (C)	Headley	Meeks	Stubbs
Collins (W)	Higginbotham	Melton	Tuck
Cook (Coffee)	Hill	Merrill	Waggoner
Cook (Jefferson)	Hobbie	Money	Watkins
Crawford	House	Nettles	Weeks
Culver	Jackson (F)	Neville	Williams
Dill	Jackson (T)	Owen (Baldwin)	Wright
Downing	Kilgore	Owens (W.E.)	Young
Drake	Laxson		

—82

And the bill:

H. 706. To regulate the sale and distribution of commercial fertilizers, fertilizer materials and other substances; requiring a license and permit for the sale thereof, prescribing the fee therefor, requiring labeling information; to levy an inspection fee upon the sale and distribution of fertilizers; prescribing the powers, duties and authority of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries for the administration and enforcement of this Act; providing for the assessment and payment of penalties for fertilizers deficient in claimed plant food value; authorizing the State Board of Agriculture and Industries to fix minimum plant food content, grades and rations for fertilizers and to adopt rules and regulations for the administration and enforcement of this Act; other administrative and enforcement provisions including a penalty for violations of this Act; to repeal Article 16 of Chapter 1 of Title 2, Code of Alabama 1940, as amended; also, to repeal Act No. 365, Legislature of 1947, approved August 16, 1947.

Was taken up.

Mr. Young offered the following amendment to the bill, H. 706:

Amend House Bill No. 706 by amending Subsection (b) of Section 8 of said bill on page 7 thereof by striking out all of the first sentence of subsection (b) and insert in lieu thereof the following sentence:

"Every person who sells commercial fertilizer in or for importation into this State for use therein where such person is licensed under Section 5 of this Act, or where such person is required to procure such a license, shall file with the Commissioner on forms furnished by him a monthly statement for the period ending on the last day of each month setting forth thereon the number of tons of each grade of commercial fertilizer sold in or for importation into this State for use therein during such month; also, such person shall include on such report any information of the type required by Section 9 of this Act when required to do so pursuant to rules and regulations promulgated by the Commissioner with approval of the Board."

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Agee	Drake	Jackson (T)	Owens (W.E.)
Bank	Edington	Laxson	Paulk
Bassett	Ellis	Lemley	Pearson
Beck	Fine	Lybrand	Perloff
Berryman (W)	Foshee	Lyons	Pruitt
Bolton	Gafford	Malone	Robertson
Brannan	Garrett	Manley	Smith
Brassell	Gloor	Marr	Springer
Brown	Graham	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McLain	Stembridge
Collier	Hardin	Meade	Stubbs
Collins (W)	Harper	Meeks	Tuck
Cook (Coffee)	Harris	Melton	Waggoner
Crawford	Headley	Merrill	Williams
Culver	Higginbotham	Money	Wright
Dill	Hill	Nettles	Yeilding
Dobbs	House	Neville	

—75

And the bill, H. 706, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Laxson	Pearson
Bank	Edington	Lemley	Perloff
Bassett	Ellis	Lybrand	Pruitt
Beck	Fine	Lyons	Robertson
Berryman (W)	Foshee	Malone	Sessions
Bolton	Gafford	Manley	Shumate
Brannan	Garrett	Marr	Smith
Brassell	Graham	Mays	Snell
Brown	Grayson	McCorquodale	Springer
Burgess	Hain	Meade	Starnes
Burgreen	Hardin	Meeks	Steagall
Collier	Harper	Melton	Stembridge
Collins (C)	Harris	Merrill	Stubbs
Collins (W)	Headley	Money	Tuck
Cook (Coffee)	Higginbotham	Nettles	Turnham
Crawford	Hill	Neville	Weeks
Culver	House	Owen (Baldwin)	Williams
Dill	Jackson (F)	Owens (W.E.)	Yeilding
Dobbs			

—77

And the bill:

H. 28. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

Was taken up.

Mr. Young offered the following amendment to the bill, H. 28:

In Section 1 following the words "fined not less than $25"; strike the word $25 and insert the word "$50."

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Dill	Laxson	Paulk
Agee	Dobbs	Lemley	Pearson
Bank	Downing	Lybrand	Perloff
Bassett	Drake	Lyons	Pruitt
Beck	Edington	Manley	Sessions
Berryman (W)	Ellis	Marr	Smith
Bolton	Fine	Mays	Snell
Brannan	Foshee	McCorquodale	Springer
Brassell	Grayson	Meade	Starnes
Brown	Hain	Melton	Steagall
Burgess	Hardin	Merrill	Stembridge
Burgreen	Harper	Money	Stubbs
Collier	Headley	Nettles	Tuck
Collins (C)	Higginbotham	Neville	Turnham
Collins (W)	Hill	Owen (Baldwin)	Weeks
Cook (Coffee)	Jackson (F)	Owens (W)	Wright
Crawford	Jackson (T)	Owens (W.E.)	Yeilding
Culver			—69

And the bill, H. 28, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Lybrand	Pearson
Agee	Drake	Lyons	Perloff
Bank	Edington	Manley	Pruitt
Bassett	Ellis	Marr	Sessions
Beck	Fine	Mathews	Shumate
Berryman (W)	Foshee	Mays	Smith
Bolton	Graham	McCorquodale	Snell
Brannan	Grayson	McLain	Springer
Brassell	Hain	Meade	Starnes
Brown	Hardin	Meeks	Steagall
Burgess	Harper	Melton	Stembridge
Burgreen	Harris	Merrill	Stubbs
Collier	Headley	Money	Tuck
Collins (C)	Higginbotham	Nettles	Turnham
Collins (W)	Hill	Neville	Waggoner
Cook (Coffee)	Jackson (F)	Owen (Baldwin)	Weeks
Crawford	Jackson (T)	Owens (W)	Wright
Culver	Laxson	Owens (W.E.)	Yeilding
Dill	Lemley	Paulk	—75

And the bill:

H. 912. Relating to counties having a population of not less than 96,000 nor more than 106,000; providing expense allowances for certain officers in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Perloff
Agee	Edington	Lybrand	Pruitt
Bank	Ellis	Lyons	Robertson
Bassett	Foshee	Manley	Sessions
Beck	Gafford	Marr	Shumate
Berryman (W)	Garrett	Mathews	Slate
Brannan	Gloor	Mays	Smith
Brassell	Graham	McCorquodale	Snell
Burgess	Grayson	McLain	Springer
Burgreen	Hain	Meade	Starnes
Collier	Hardin	Meeks	Steagall
Collins (C)	Harper	Melton	Stembridge
Collins (W)	Harris	Money	Stubbs
Cook (Coffee)	Headley	Nettles	Tuck
Cook (Jefferson)	Higginbotham	Neville	Turnham
Crawford	House	Owen (Baldwin)	Waggoner
Culver	Jackson (F)	Owens (W)	Weeks
Dill	Jackson (T)	Owens (W.E.)	Wright
Dobbs	Kilgore	Paulk	Yeilding
Downing	Laxson	Pearson	—79

And the bill:

H. 913 (with amendment). Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of certain officers in such counties.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Amend House Bill 913 in Section 2, by adding at the end thereof the following:

", and allowance to the sheriff for feeding prisoners or providing for the payment to him of mileage and expense allowances for returning or transferring prisoners and insane persons to points outside the county."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Grayson	Lybrand
Agee	Cook (Jefferson)	Hain	Lyons
Bank	Crawford	Hardin	Malone
Bassett	Culver	Harper	Manley
Beck	Dill	Harris	Marr
Berryman (W)	Dobbs	Headley	Mathews
Bolton	Downing	Higginbotham	Mays
Brannan	Drake	Hobbie	McCorquodale
Brassell	Edington	House	Meade
Burgess	Ellis	Jackson (F)	Meeks
Burgreen	Fine	Jackson (T)	Melton
Collier	Foshee	Kilgore	Merrill
Collins (C)	Gloor	Laxson	Money
Collins (W)	Graham	Lemley	Nettles

Neville	Perloff	Smith	Stubbs
Owen (Baldwin)	Pruitt	Snell	Tuck
Owens (W)	Robertson	Springer	Turnham
Owens (W.E.)	Sessions	Starnes	Weeks
Paulk	Shumate	Steagall	Wright
Pearson	Slate	Stembridge	Yeilding

—80

And the bill, H. 913, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Owens (W.E.)
Agee	Edington	Lemley	Paulk
Bank	Ellis	Lybrand	Pearson
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Berryman (W)	Garrett	Manley	Shumate
Blanton	Gloor	Marr	Smith
Brannan	Graham	Mathews	Snell
Brassell	Grayson	Mays	Springer
Burgess	Hain	McCorquodale	Starnes
Burgreen	Harper	Meade	Steagall
Collier	Harris	Meeks	Stembridge
Collins (W)	Headley	Melton	Stubbs
Cook (Coffee)	Higginbotham	Merrill	Tuck
Cook (Jefferson)	Hobbie	Money	Turnham
Crawford	House	Nettles	Weeks
Culver	Jackson (F)	Neville	Wright
Dill	Jackson (T)	Owen (Baldwin)	Yeilding
Dobbs	Kilgore	Owens (W)	Young
Downing			

—77

And the bill:

H. 914. Relating to counties having a population of not less than 96,000 nor more than 106,000; increasing the expense allowance of the county judges in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hardin	Marr
Agee	Crawford	Harper	Mathews
Bank	Culver	Harris	Mays
Bassett	Dill	Headley	McCorquodale
Beck	Dobbs	Higginbotham	McElhaney
Berryman (W)	Downing	Hobbie	McLain
Blanton	Drake	House	Meade
Brannan	Edington	Jackson (F)	Meeks
Brassell	Ellis	Jackson (T)	Melton
Burgess	Fine	Laxson	Merrill
Burgreen	Foshee	Lemley	Money
Collier	Garrett	Lybrand	Nettles
Collins (C)	Graham	Lyons	Neville
Collins (W)	Grayson	Malone	Owen (Baldwin)
Cook (Coffee)	Hain	Manley	Owens (W)

Owens (W.E.)	Sessions	Starnes	Turnham
Paulk	Slate	Steagall	Weeks
Pearson	Smith	Stembridge	Wright
Perloff	Snell	Stubbs	Yeilding
Pruitt	Springer	Tuck	Young
Robertson			

—81

And the bill:

H. 915. Relating to counties having a population of not less than 96,000 nor more than 106,000; fixing the compensation of the officers of the circuit court in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Lyons	Pearson
Agee	Edington	Malone	Perloff
Bank	Ellis	Manley	Pruitt
Bassett	Foshee	Marr	Robertson
Beck	Gafford	Mathews	Sessions
Berryman (W)	Garrett	Mays	Shumate
Blanton	Graham	McCorquodale	Slate
Brannan	Grayson	McElhaney	Smith
Brassell	Hain	McLain	Snell
Burgess	Hardin	Meade	Springer
Burgreen	Harper	Meeks	Starnes
Collier	Harris	Melton	Steagall
Collins (C)	Headley	Merrill	Stembridge
Collins (W)	Higginbotham	Money	Stubbs
Cook (Coffee)	Hobbie	Nettles	Tuck
Cook (Jefferson)	House	Neville	Turnham
Crawford	Jackson (F)	Owen (Baldwin)	Weeks
Culver	Jackson (T)	Owens (W)	Wright
Dill	Laxson	Owens (W.E.)	Yeilding
Dobbs	Lemley	Paulk	Young
Downing	Lybrand		

—82

And the bill:

H. 929. To alter, rearrange and extend the boundary lines and corporate limits of the town of Reece City in Etowah County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collier	Edington	Headley
Agee	Collins (C)	Ellis	Higginbotham
Bank	Collins (W)	Foshee	Hobbie
Bassett	Cook (Coffee)	Gafford	House
Beck	Cook (Jefferson)	Garrett	Jackson (F)
Berryman (W)	Crawford	Graham	Jackson (T)
Blanton	Culver	Grayson	Laxson
Brannan	Dill	Hain	Lemley
Brassell	Dobbs	Hardin	Lybrand
Burgess	Downing	Harper	Lyons
Burgreen	Drake	Harris	Malone

Manley	Merrill	Pruitt	Stembridge
Marr	Money	Robertson	Stubbs
Mathews	Nettles	Sessions	Tuck
Mays	Neville	Slate	Turnham
McCorquodale	Owen (Baldwin)	Smith	Weeks
McElhaney	Owens (W)	Snell	Williams
McLain	Owens (W.E.)	Springer	Wright
Meade	Paulk	Starnes	Yeilding
Meeks	Pearson	Steagall	Young
Melton	Perloff		—82

And the bill:

H. 930. To apply only in counties having a population of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; providing for taxing, collecting and remitting circuit court costs by the town or cities located therein, when a case has been appealed from a City Recorder's Court, Mayor's Court, Police Court or any municipal court to the Circuit court in such counties and the appeal is dismissed and case remanded, and when a town or city permits a defendant to pay a fine and cost to the town or city after transcript on appeal is filed in Circuit Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Lybrand	Perloff
Agee	Edington	Lyons	Pruitt
Bank	Ellis	Malone	Robertson
Bassett	Fine	Manley	Sessions
Beck	Foshee	Marr	Shumate
Berryman (W)	Gafford	Mathews	Slate
Blanton	Garrett	Mays	Smith
Brannan	Gloor	McCorquodale	Snell
Brassell	Graham	McElhaney	Springer
Burgess	Grayson	McLain	Starnes
Burgreen	Hain	Meeks	Steagall
Collier	Hardin	Melton	Stembridge
Collins (C)	Harper	Merrill	Stubbs
Collins (W)	Headley	Money	Tuck
Cook (Coffee)	Higginbotham	Nettles	Turnham
Cook (Jefferson)	Hobbie	Neville	Weeks
Crawford	House	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wright
Dill	Jackson (T)	Owens (W.E.)	Yeilding
Dobbs	Laxson	Paulk	Young
Downing	Lemley	Pearson	—83

And the bill:

H. 226. To fix the salary of the Attorney General.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brassell
Agee	Beck	Bolton	Burgess
Bank	Berryman (W)	Brannan	Burgreen

Collier	Harper	McCorquodale	Sessions
Collins (C)	Harris	McElhaney	Shumate
Collins (W)	Headley	McLain	Slate
Cook (Coffee)	Higginbotham	Meade	Smith
Crawford	Hill	Meeks	Snell
Culver	Hobbie	Melton	Springer
Dill	Holladay	Merrill	Starnes
Dobbs	House	Money	Steagall
Downing	Jackson (F)	Nettles	Stembridge
Drake	Jackson (T)	Neville	Stubbs
Edington	Laxson	Owen (Baldwin)	Tuck
Ellis	Lemley	Owens (W)	Turnham
Foshee	Lybrand	Owens (W.E.)	Waggoner
Garrett	Lyons	Paulk	Weeks
Gloor	Malone	Pearson	Williams
Graham	Manley	Perloff	Wright
Grayson	Marr	Pruitt	Yeilding
Hain	Mathews	Robertson	Young
Hardin	Mays		—86

And the bill:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

Was read a third time at length and passed.

Yeas 74; Nay 1.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Drake	Lybrand	Pruitt
Bank	Edington	Malone	Robertson
Bassett	Ellis	Manley	Sessions
Beck	Fine	Marr	Slate
Berryman (W)	Foshee	Mathews	Snell
Blanton	Garrett	Mays	Springer
Brannan	Gloor	McCorquodale	Starnes
Brassell	Graham	McElhaney	Steagall
Brown	Grayson	Meade	Stembridge
Burgreen	Hain	Meeks	Stubbs
Collier	Hardin	Melton	Tuck
Collins (C)	Harper	Merrill	Turnham
Collins (W)	Harris	Money	Waggoner
Cook (Coffee)	Headley	Neville	Weeks
Crawford	Higginbotham	Owen (Baldwin)	Williams
Culver	Hill	Owens (W.E.)	Wright
Dill	Hobbie	Paulk	Yeilding
Dobbs	House		—74

Nay: Mr. Nettles. —1

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until Tuesday, July 22, 1969, at 2 o'clock P. M., was lost.

Yeas 26; Nays 55.

Yeas:

Mr. Speaker	Dill	Malone	Owens (W.E.)
Beck	Downing	Mathews	Slate
Blanton	Drake	Meade	Starnes
Brannan	Fine	Merrill	Steagall
Brassell	Hain	Neville	Watkins
Burgreen	Holladay	Owen (Baldwin)	Weeks
Cook (Coffee)	Lyons		—26

Nays:

Messrs.:	Garrett	Lemley	Robertson
Adwell	Gloor	Manley	Sessions
Agee	Graham	Marr	Smith
Bassett	Grayson	Mays	Snell
Berryman (W)	Hardin	McCorquodale	Springer
Collier	Harper	McElhaney	Stembridge
Cook (Jefferson)	Harris	McLain	Stubbs
Crawford	Headley	Meeks	Tuck
Culver	Higginbotham	Melton	Turnham
Dobbs	Hill	Money	Waggoner
Edington	Hobbie	Nettles	Williams
Ellis	House	Paulk	Wright
Foshee	Jackson (F)	Pearson	Yeilding
Gafford	Jackson (T)	Pruitt	Young
			—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 191. To authorize any bank situated in the City of Cullman, or having an authorized office or place of business therein, to establish, operate and maintain branch banks or additional offices or places of business in the City of Cullman.

Also:

S. 219. To alter, rearrange and fix the boundaries and corporate limits of the town of Daviston in Tallapoosa County, annexing certain territory to the town.

Also:

S. 375. Relating to counties having populations of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; fixing the fee for the issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

S. 425. To alter, rearrange, redefine, and extend the boundary lines and corporate limits of the Town of Camp Hill, in Tallapoosa County, Alabama.

Also:

S. 467. Relating to Tallapoosa County; to abolish the office of county treasurer and to provide for the selection of a county depository, to repeal Act No. 83, H. 266, Regular Session 1935 (Local Acts 1935, p. 19) which creates the office of county treasurer for Tallapoosa County.

Also:

S. 469. To alter, rearrange and extend the boundary of the City of Alexander City, Alabama, so as to include within the corporate limits thereof certain additional territory located in Section 22, Township 23 North, Range 21 East, Tallapoosa County, Alabama.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 1. To amend Act No. 326, H. 775, Regular Session 1963 (Acts 1963, p. 809), relating to judicial circuits composed of only one county and having a population of not less than 60,500 nor more than 65,000 inhabitants; which authorizes the appointment of a deputy circuit solicitor; so as to provide further for the compensation of such solicitor.

Also:

S. 263. To authorize the circuit clerk of Autauga County to appoint one deputy clerk and to provide for their compensation, repealing Act No. 318, H. 829, approved July 28, 1949 (Acts 1949, p. 449).

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 38. Mourning the death of Mr. Ralph Parker.

Also:

S. J. R. 31. Naming the Science and Humanities Building and the Student Center at Jefferson State Junior College.

Also:

S. J. R. 32. Commending Archbishop Thomas J. Toolen.

Also:

S. J. R. 33. Congratulating Mr. and Mrs. Curtis E. Lord, Sr. of Prichard, Alabama.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

And the bill:

H. 778 (with amendment). To propose an amendment to the Constitution of Alabama to authorize the Legislature to provide a Pension Fund for the Fire Fighters in Alabama and to levy a tax in support thereof.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on State Administration, said Committee amendment being as follows:

Amend House Bill No. 778 by adding at the end of Section 1 thereof, the following:

"Any State Fire Fighters Pension Fund heretofore established pursuant to legislative enactment is validated, confirmed and ratified by this amendment to the Constitution of Alabama."

MOTION TO TABLE LOST

The motion of Mr. Mathews to table the amendment of the Standing Committee on State Administration was lost.

Yeas 32; Nays 44.

Yeas:

Messrs.:	Fine	Lyons	Melton
Berryman (W)	Garrett	Malone	Money
Blanton	Gloor	Manley	Nettles
Collins (C)	Hain	Marr	Owens (W.E.)
Collins (W)	Higginbotham	Mathews	Pruitt
Cook (Jefferson)	Holladay	Mays	Sessions
Crawford	Jackson (T)	McLain	Wright
Edington	Lybrand	Meeks	Yeilding
Ellis			—32

Nays:

Mr. Speaker	Collier	Harris	Paulk
Agee	Cook (Coffee)	Headley	Perloff
Bank	Culver	Hill	Robertson
Bassett	Doss	Hobbie	Shumate
Beck	Downing	Jackson (F)	Slate
Brannan	Drake	Lemley	Snell
Brassell	Foshee	McCorquodale	Springer
Brown	Graham	Meade	Steagall
Burgess	Grayson	Merrill	Stembridge
Burgreen	Hardin	Neville	Tuck
Cameron	Harper	Owen (Baldwin)	Waggoner
			—44

And the amendment was adopted.

Yeas 52; Nays 14.

Yeas:

Mr. Speaker	Cook (Coffee)	Harris	Owen (Baldwin)
Agee	Crawford	Headley	Paulk
Bank	Culver	Hill	Perloff
Bassett	Doss	Hobbie	Pruitt
Beck	Downing	Jackson (F)	Robertson
Blanton	Drake	Lemley	Shumate
Brannan	Edington	Manley	Slate
Brassell	Foshee	Mays	Snell
Brown	Graham	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	Meade	Tuck
Cameron	Hardin	Melton	Waggoner
Collier	Harper	Merrill	Young

—52

Nays:

Messrs.:	Garrett	Malone	Owens (W.E.)
Collins (W)	Gloor	Marr	Wright
Ellis	Holladay	Money	Yeilding
Gafford	Lyons	Nettles	

—14

Mr. Sessions offered the following amendment to the bill, H. 778, as amended:

In Section 1, in the clause following the first colon, strike out the following words, "the levy or assessment of additional taxes," and insert in lieu thereof the following words and figures:

diverting to such purpose not more than one-half of the tax levied by Code of Alabama 1940, Title 51, Section 816, as amended,

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolutions, to-wit:

H. J. R. 80. Designating the "Bill Nichols Scenic Highway".

Also:

H. J. R. 75. Requesting the Republican Administration and particularly the President of the United States to take immediate steps to rescind the HEW plan requiring the massive crosstown bussing of Mobile school children.

Also:

H. J. R. 78. Requesting Mr. Robert H. Finch, Secretary of the Department of Health, Education and Welfare, to reappraise the Mobile County public school system in regard to recent directives of HEW.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Blanton that the House adjourn until Tuesday, July 22, 1969, at 2 o'clock P. M., was lost.

Yeas 24; Nays 60.

Yeas:

Messrs.:	Collins (W)	Hain	Owens (W.E.)
Beck	Crawford	Holladay	Perloff
Berryman (W)	Doss	Mathews	Shumate
Brannan	Downing	Mays	Slate
Brassell	Drake	Merrill	Williams
Burgreen	Fine	Owen (Baldwin)	Wright
Collins (C)			

—24

Nays:

Mr. Speaker	Gafford	Manley	Robertson
Adwell	Gloor	Marr	Sessions
Agee	Graham	McCorquodale	Smith
Bank	Hardin	McElhaney	Snell
Bassett	Harper	McLain	Springer
Brown	Harris	Meade	Starnes
Burgess	Headley	Meeks	Steagall
Cameron	Higginbotham	Melton	Stembridge
Collier	Hill	Money	Stubbs
Cook (Coffee)	Hobbie	Nettles	Tuck
Cook (Jefferson)	Jackson (F)	Neville	Turnham
Culver	Jackson (T)	Owens (W)	Waggoner
Edington	Kilgore	Paulk	Weeks
Ellis	Lemley	Pearson	Yeilding
Foshee	Malone	Pruitt	Young

—60

H. 778 RESUMED

On motion of Mr. Cook (Coffee), the amendment to the bill, H. 778, offered by Mr. Sessions, was tabled.

Yeas 48; Nays 10.

Yeas:

Mr. Speaker	Culver	Hobbie	Perloff
Bank	Doss	Jackson (F)	Robertson
Bassett	Downing	Lemley	Shumate
Beck	Drake	Marr	Slate
Brannan	Foshee	Mays	Snell
Brassell	Garrett	McElhaney	Springer
Brown	Grayson	Melton	Steagall
Cameron	Hardin	Merrill	Stembridge
Collier	Harper	Neville	Stubbs
Collins (W)	Harris	Owen (Baldwin)	Tuck
Cook (Coffee)	Headley	Paulk	Turnham
Crawford	Hill	Pearson	Williams

—48

Nays:

Messrs.:	Ellis	Meeks	Weeks	
Collins (C)	Jackson (T)	Money	Young	
Edington	Lyons	Nettles		—10

CONSENT GRANTED TO CARRY OVER H. 778 AND H. 779.

At the request of Mr. Cook (Coffee), consent was granted to carry over the bills, H. 778 and H. 779 and all pending amendments, without losing their place on the Special Order calendar, to the twenty-first legislative day.

And the bill:

H. 70. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

Was read a third time at length and lost.

Yeas 57; Nays 13.

Yeas:

Mr. Speaker	Fine	Manley	Sessions	
Agee	Grayson	Mays	Slate	
Bassett	Hardin	McElhaney	Smith	
Beck	Harper	McLain	Snell	
Brannan	Harris	Meeks	Springer	
Brassell	Headley	Melton	Steagall	
Cameron	Higginbotham	Merrill	Stembridge	
Collier	Hill	Money	Stubbs	
Collins (C)	Hobbie	Owen (Baldwin)	Tuck	
Crawford	Holladay	Paulk	Weeks	
Culver	House	Pearson	Williams	
Dill	Jackson (F)	Perloff	Wright	
Downing	Lemley	Pruitt	Yeilding	
Drake	Lybrand	Robertson	Young	
Edington	Malone			—57

Nays:

Messrs.:	Ellis	Marr	Neville	
Blanton	Garrett	McCorquodale	Owens (W.E.)	
Brown	Hain	Nettles	Tuck	
Collins (W)	Kilgore			—13

MOTION TO ADJOURN LOST

The motion of Mr. Lyons that the House adjourn until Tuesday, July 22, 1969, at 2 o'clock P. M., was lost.

Yeas 34; Nays 50.

Yeas:

Mr. Speaker	Crane	Harper	Owen (Baldwin)	
Beck	Crawford	Holladay	Owens (W.E.)	
Berryman (W)	Dill	Lyons	Paulk	
Blanton	Doss	Marr	Perloff	
Brannan	Downing	Mays	Slate	
Brassell	Drake	Meade	Starnes	
Burgess	Fine	Merrill	Steagall	
Burgreen	Grayson	Neville	Stembridge	
Collins (W)	Hain			—34

Nays:

Messrs.:	Foshee	Kilgore	Sessions	
Adwell	Gafford	Lemley	Snell	
Agee	Garrett	Manley	Springer	
Bank	Graham	McCorquodale	Stubbs	
Bassett	Hardin	McElhaney	Tuck	
Brown	Harris	McLain	Turnham	
Cameron	Headley	Meeks	Waggoner	
Collins (C)	Higginbotham	Melton	Weeks	
Cook (Coffee)	Hill	Money	Williams	
Cook (Jefferson)	Hobbie	Nettles	Wright	
Culver	House	Owens (W)	Yeilding	
Edington	Jackson (F)	Pearson	Young	
Ellis	Jackson (T)	Robertson		—50

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:15 P.M. on July 16, 1969.

H. J. R. 23

H. J. R. 75

H. J. R. 78

H. J. R. 80

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Also:

H. 321. To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Also:

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Also:

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

Also:

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Also:

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Also:

H. 669. Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Also:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

Also:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

Also:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

McDOWELL LEE,
Secretary.

And the bill:

H. 71. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 9.

Yeas:

Mr. Speaker	Drake	Laxson	Pearson
Agee	Edington	Malone	Pruitt
Bank	Ellis	Manley	Robertson
Bassett	Fine	Mathews	Sessions
Beck	Foshee	Mays	Slate
Blanton	Graham	McCorquodale	Smith
Brannan	Grayson	McElhaney	Snell
Brassell	Hardin	McLain	Springer
Brown	Harper	Meade	Starnes
Burgreen	Harris	Melton	Stembridge
Cameron	Headley	Merrill	Tuck
Collier	Higginbotham	Money	Waggoner
Collins (C)	Hill	Neville	Weeks
Crawford	Hobbie	Owen (Baldwin)	Williams
Culver	Holladay	Owens (W)	Wright
Dill	House	Owens (W.E.)	Yeilding
Downing	Jackson (F)	Paulk	Young

—68

Nays:

Messrs.:	Garrett	Marr	Nettles
Collins (W)	Hain	Meeks	Perloff
Gafford	Jackson (T)		

—9

And the bill:

H. 362 (with amendments). Relating to telephone communications, limiting the number of subscribers for which service may be provided on any one line of communication.

Was taken up.

The question was on the adoption of Amendment #1, reported by the Standing Committee on Agriculture, said Committee amendment being as follows:

AGRICULTURE COMMITTEE AMENDMENT #1 TO H. 362

Insert immediately after Section 1 of the bill the following Section 2 and renumber the remaining sections accordingly:

Section 2. No public utility, corporation, association or electric cooperative corporation shall discontinue service to any subscriber who was being provided service on the date this Act becomes law solely for the purpose of complying with this Act.

And the amendment was adopted.

Yeas 67; Nay 1.

Yeas:

Mr. Speaker	Blanton	Cameron	Culver
Agee	Brannan	Collier	Dobbs
Bank	Brassell	Collins (C)	Downing
Bassett	Burgess	Collins (W)	Drake
Beck	Burgreen	Crawford	Ellis

Fine	Jackson (F)	Money	Smith
Foshee	Jackson (T)	Nettles	Snell
Gafford	Lemley	Owen (Baldwin)	Steagall
Gloor	Malone	Owens (W)	Stembridge
Graham	Manley	Owens (W.E.)	Stubbs
Grayson	Marr	Paulk	Tuck
Hain	Mathews	Pearson	Turnham
Hardin	Mays	Perloff	Weeks
Harper	McCorquodale	Pruitt	Williams
Harris	McElhaney	Robertson	Wright
Headley	Meeks	Sessions	Young
Hill	Melton	Slate	

—67

Nay: Mr. Holladay. —1

The question, then, was on the adoption of Amendment #2, reported by the Standing Committee on Agriculture, to the bill, H. 362, said Committee amendment being as follows:

Strike out Section 4 of the bill in its entirety and insert in lieu thereof the following:

Section 4. This Act shall become effective two years after its passage and approval by the Governor or its otherwise becoming law.

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Edington	Malone	Perloff
Agee	Ellis	Manley	Pruitt
Bank	Fine	Marr	Robertson
Bassett	Foshee	Mathews	Sessions
Beck	Gafford	Mays	Slate
Blanton	Graham	McCorquodale	Smith
Brannan	Grayson	McElhaney	Snell
Brassell	Hain	McLain	Springer
Burgess	Hardin	Meade	Starnes
Burgreen	Harper	Meeks	Steagall
Cameron	Harris	Melton	Stembridge
Collier	Headley	Money	Stubbs
Collins (C)	Hill	Nettles	Tuck
Collins (W)	Hobbie	Neville	Turnham
Cook (Coffee)	Jackson (F)	Owen (Baldwin)	Weeks
Crawford	Jackson (T)	Owens (W)	Williams
Culver	Kilgore	Owens (W.E.)	Wright
Dobbs	Laxson	Paulk	Yeilding
Downing	Lemley	Pearson	Young
Drake			

—77

The question, then, was on the adoption of Amendment #3 to the bill, H. 362, reported by the Standing Committee on Agriculture, said Committee amendment being as follows:

In Section 1 of the bill, add at the end of the section and as a part thereof the following:

Provided, however, that a special permit to continue to engage in furnishing telephone service for a period of six months may be issued by the public service commission to any public utility, corporation, association, or electric cooperative corporation which, when this Act

becomes effective, has not fully complied herewith, if it is making an honest effort to do so. Any public utility, corporation, association or electric cooperative corporator whis has: 1. Applied to the Rural Electrification Administeration for a loan in an amount adequate to convert its system to no more than four subscribers to a line, and had such application approved for a substantial part of the requested sum and been given reason to believe that additional funds will be made available to it in the near future; and 2. is actually converting its system to not more than four subscribers per line as rapidly as is reasonably possible with the capital then available to it, shall be deemed to be making an honest effort to comply with this Act and shall be entitled to a permit. It may also apply for and obtain an extension of such permit for an additional six months period whenever, in the opinion of the public service commission, such public utility corporation, association or electric cooperative corporation is still making an honest effort to comply with this Act, it has made material progress therein and it appears likely that it will fully comply with this Act within a reasonable time. No permit shall, however, be issued for a longer period than six months to such public utility, corporation, association or electric cooperative corporation until it has complied fully with this Act.

And the amendment was adopted.

Yeas 68; Nay 1.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pearson
Agee	Edington	Laxson	Perloff
Bank	Ellis	Malone	Pruitt
Bassett	Fine	Manley	Robertson
Beck	Foshee	Marr	Sessions
Blanton	Gafford	Mays	Slate
Brannan	Graham	McCorquodale	Smith
Brassell	Grayson	McElhaney	Snell
Burgess	Hain	Meade	Springer
Burgreen	Hardin	Meeks	Starnes
Cameron	Harper	Melton	Steagall
Collier	Harris	Money	Stembridge
Collins (C)	Headley	Nettles	Turnham
Collins (W)	Higginbotham	Owen (Baldwin)	Weeks
Culver	Hill	Owens (W)	Williams
Dobbs	Hobbie	Owens (W.E.)	Wright
Downing	Jackson (F)	Paulk	Young

—68

Nay: Mr. Lemley. —1

Mr. Garrett offered the following amendment to the bill, H. 362, as thus amended:

In Section 1 of the bill, as amended, add at the end of the section and as a part thereof the following:

No special permit hereunder shall be issued to any public utility, corporation, association or electric cooperative corporation which is not in compliance with this Act and has not succeeded in raising a substantial part of the capital needed to comply herewith.

MOTION TO TABLE LOST

The motion of Mr. Nettles to table the amendment of Mr. Garrett to the bill, H. 362, was lost.

Yeas 22; Nays 47.

Yeas:

Messrs.:	Higginbotham	Manley	Pruitt	
Cameron	Hill	Mathews	Sessions	
Collier	Hobbie	McElhaney	Smith	
Edington	Holladay	Meade	Tuck	
Grayson	Jackson (T)	Meeks	Wright	
Hain	Malone	Nettles		—22

Nays:

Mr. Speaker	Dill	Kilgore	Paulk	
Agee	Downing	Laxson	Pearson	
Bank	Drake	Lemley	Perloff	
Bassett	Ellis	Marr	Robertson	
Beck	Fine	Mays	Slate	
Blanton	Foshee	McCorquodale	Snell	
Brannan	Garrett	Melton	Starnes	
Brassell	Graham	Money	Steagall	
Burgreen	Hardin	Neville	Stembridge	
Collins (W)	Harper	Owen (Baldwin)	Stubbs	
Crawford	Headley	Owens (W)	Yeilding	
Culver	Jackson (F)	Owens (W.E.)		—47

And the amendment of Mr. Garrett to the bill, H. 362, was adopted.

Yeas 52; Nays 13.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Paulk	
Agee	Downing	Laxson	Pearson	
Bank	Ellis	Lemley	Perloff	
Bassett	Fine	Malone	Robertson	
Beck	Foshee	Mays	Slate	
Blanton	Garrett	McCorquodale	Snell	
Brannan	Graham	Meeks	Starnes	
Brassell	Grayson	Melton	Steagall	
Burgreen	Hardin	Money	Stembridge	
Collier	Harper	Neville	Stubbs	
Cook (Coffee)	Harris	Owen (Baldwin)	Tuck	
Crawford	Headley	Owens (W)	Turnham	
Culver	Hill	Owens (W.E.)	Young	
				—52

Nays:

Messrs.:	Hobbie	Mathews	Nettles	
Cameron	Holladay	McElhaney	Smith	
Collins (W)	Jackson (T)	Meade	Wright	
Edington	Marr			—13

And the bill, H. 362, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 6.

Yeas:

Mr. Speaker	Beck	Burgess	Collins (C)
Agee	Blanton	Burgreen	Cook (Coffee)
Bank	Brannan	Cameron	Crawford
Bassett	Brassell	Collier	Dill

Dobbs	Headley	Meeks	Slate
Downing	Hill	Melton	Snell
Edington	Hobbie	Money	Springer
Ellis	Holladay	Neville	Starnes
Fine	Jackson (F)	Owen (Baldwin)	Steagall
Foshee	Kilgore	Owens (W)	Stembridge
Garrett	Laxson	Owens (W.E.)	Stubbs
Graham	Lemley	Paulk	Tuck
Grayson	Malone	Pearson	Turnham
Hain	Manley	Perloff	Williams
Hardin	Mays	Pruitt	Wright
Harper	McCorquodale	Robertson	Yeilding
Harris	McElhaney	Sessions	Young

—68

Nays:

Messrs.:	Jackson (T)	Mathews	Nettles
Collins (W)	Marr	Meade	

—6

And the bill:

H. 74. To authorize and empower any state trooper or other law enforcement officer to remove a domestic animal from a highway right of way by use of a tranquilizer or similar drug.

Was taken up.

Mr. Tuck offered the following amendment to the bill, H. 74:

In Section 1 of the bill after the words "similar drug," insert the following: such as Metrobamate in recommended dosages by the State Veterinarian,

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Edington	Laxson	Perloff
Agee	Ellis	Lemley	Pruitt
Bank	Fine	Malone	Robertson
Bassett	Foshee	Manley	Sessions
Beck	Garrett	Marr	Slate
Blanton	Gloor	Mathews	Smith
Brannan	Graham	Mays	Snell
Brassell	Grayson	McCorquodale	Springer
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	Meade	Steagall
Burgreen	Harper	Meeks	Stembridge
Cameron	Harris	Melton	Stubbs
Collier	Headley	Merrill	Tuck
Collins (W)	Higginbotham	Nettles	Turnham
Crawford	Hill	Neville	Waggoner
Culver	Hobbie	Owen (Baldwin)	Williams
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Downing	Jackson (T)	Pearson	Young
Drake	Kilgore		

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BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills

and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 722. To amend Act No. 249, H. 492, of the Regular Session of 1967 (Acts, Regular Session 1967, p. 629), which provides for the organization, creation, and operation of the state law institute so as to provide further for the composition of the governing body of the institute.

H. 994. To authorize county governing bodies of the several counties to appoint a county engineer; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation in the salary of the county engineer.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 889 (with amendment). To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted at the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1967 of the Legislature.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 268. To amend Sections 7, 8 and 12 of Act No. 558, Regular Session, 1943, approved July 9, 1943 (Alabama Acts of 1943, page 548 et seq.), by providing for the preparation and use of uniform accident reporting forms.

H. 995. To amend Act No. 375, H. 1006 of the Regular Session of 1955 (Acts 1955, p. 901), which provides for and regulates the taking of depositions of witnesses or parties upon oral examination for discovery or for use as evidence, so as to authorize the subpoena to command the person sought to be examined not only to appear in person but to produce books, papers, documents and other tangible things designated in the subpoena; to prescribe certain limitations on such subpoenas; and to grant certain discretion relative to their issuance to the judge.

S. 113. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide for the observance of certain legal public holidays on Mondays.

S. 114. Relating to newspaper carriers; to make it unlawful to defraud a newsboy, and to provide penalties therefor.

S. 340. To amend further Code of Alabama 1940, Title 24, Section 18, as amended, so as to increase the penalty for obtaining board by fraud or misrepresentation.

S. 115. To provide for participation by the State of Alabama in the National Guard Mutual Assistance Compact, and to enact the terms and provisions thereof as the law of this State.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitute, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1004 (with substitute). To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; and to ratify any such pledges heretofore made.

H. 951 (with substitute). To exempt members of state and local auxiliary law enforcement units from the purchase of pistol permits.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 238. To amend Title 55, Section 84, Code of Alabama 1940.

H. 1036. To provide that upon a municipality annexing any district created under Act No. 79 of the Special Session of the Legislature of 1966 to fight or prevent fires, or to fight or prevent fires and collect and dispose of garbage, persons employed by the district to fight fires shall become employees of such municipality subject to the conditions stated in this Act.

H. 1038. To amend Title and Section 19½ and to repeal Section 32 of Act No. 78, Special Session, 1961 (Acts of Alabama of 1961 p. 1955), as amended, which Act regulated the teaching and practice of cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology so as to regulate further such teaching and practices and the registration and license fees therefor so as to make such Act applicable to all counties of the State of Alabama.

H. 950. To provide for the appointment of a deputy district attorney for the Twenty-seventh Judicial Circuit of Alabama, prescribe his powers and duties, fix and provide for payment of his compensation, and regulate his tenure in office.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1005 (with amendment). Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); an act providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations, so as to exempt the North Alabama Tuberculosis Association from sales and use tax laws.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1002. To amend Section 5 of Act No. 926, approved 12 September 1951 (1951 Acts of Alabama, Act No. 926, page 1575) which Section pertains to an appropriation to make a contribution on behalf of the State of Alabama to the National Conference of Commissioners on Uniform State Laws.

H. 1041. To authorize each county in this state in which there is now or hereafter levied any privilege license or excise tax the proceeds of which tax may be used in whole or in part for the acquisition, construction, improving, enlarging renovating, replacing, equipping, operating, maintaining and repairing public hospitals, public clinics, public health centers and related public health facilities in such county, whether any such hospital, clinic, center or facility is owned by the County or a corporation heretofore or hereafter organized or created pursuant to authorization or determination of the governing body of the County, or for one or more of such purposes, to issue to the extent of its constitutional debt limit, interest bearing warrants, certificates of indebtedness or other evidences of indebtedness (other than bonds to which the provisions of Section 222 of the Constitution of Alabama of 1901 apply) for any one or more of the purposes to which the proceeds of such tax may be applied, to provide that the governing body of the County issuing any such warrants, certificates of indebtedness or other evidences of indebtedness shall pledge and use or cause to be pledged and used for the payment of the principal of and interest on such obligations and to provide a reserve fund therefor, so much as may be necessary for such purposes of the proceeds of such tax, to provide that the proceedings authorizing their issuance may provide that such warrants, certificates of indebtedness or other evidence of indebtedness shall evidence the general obligation of the County by which they are issued, in which case the full faith and credit of the County shall be irrevocably pledged for the payment of the principal thereof and the interest thereon, in addition to the pledge of said tax, or in the alternative, that such proceedings may provide that such warrants, certificates of indebtedness and other evidences of indebtedness shall be payable solely from the proceeds of said tax, in which case the full faith and credit of the County shall not be pledged to the payment thereof and the obligation of the County to pay the same shall be limited to the tax so pledged; to provide for the public sale of such warrants, certificates of indebtedness or other evidences of indebtedness; to provide for the refunding of such warrants, certificates of indebtedness or other evidences of indebtedness; to provide that such warrants, certificates of indebtedness or other evidences of indebtedness shall be legal investments for executors, administrators, trustees and other fiduciaries and to provide that insofar as the provisions thereof may be inconsistent with any other provisions of law, the provisions thereof shall control and declaring that the provisions of Section 78 of Title 12, Alabama Code of 1940 shall not be applicable to warrants, certificates of indebtedness or other evidences of indebtedness issued under the provisions thereof.

H. 1019. Providing further for admissions of certain lawyers from other states to practice in Alabama pursuant to reciprocal agreements.

H. 875. To amend Act No. 78, S. 72, Special Session 1961 (Acts 1961, p. 1955), an act regulating the teaching and practice of cosmetology in any county having a population of less than 600,000, according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology, so as to regulate further the employment of apprentices.

Mr. Smith, Chairman of the Standing Committee on Agriculture reported that said Comittee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 660. Relating to state revenue; exempting from the sales tax levied by Section 2(b), Act No. 100, Second Special Session 1959, the gross proceeds from the sales tax levied by Section 2(b), Act No. 100, Second Special Session 1959, the gross proceeds from sales of admissions to and other sales in connection with the annual Shrine football game in Montgomery, the proceeds of which are devoted to the Crippled Children's Hospital.

H. 958. To further amend Chapter 7 of Title 2 of the Code of Alabama of 1940 by amending Sections 672, 674, 675, 676 and 677 relating to requirements for persons performing professional work or services pertaining to entomological, pathological, horticultural, floricultural, and tree surgery work; to define such work; to prescribe special requirements for structural pest control work including the annual permit, bond, insurance, training, experience and other requirements; prescribing the powers and duties of the Commissioner of Agriculture and Industries for administration and enforcement of said Chapter 7; and prescribing penalties for violations.

S. 212. To amend further the Farmers Market Authority Act, Act No. 672, S. 99 of the Regular Session of 1965, (Acts of Alabama 1965, p. 1208), so as to authorize the establishment of marketing facilities for additional agricultural products, and to authorize and regulate the sales, alienation and conveyance of markets, market facilities and appurtenances thereto by the Farmers Market Authority; to fix the annual salary of the Administrator of the Farmers Market Authority; to authorize the use of funds collected for capital outlay, maintenance, repairs and operating expenses for markets; and to lengthen the period for which space or facilities at markets may be leased or contracted for; to repeal Act No. 221, H. 178, Legislature of 1969, Special Session, approved May 15, 1969.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 791. To provide for the filing with the State Department of Education of an annual operating statement and a consolidated fund balance sheet each year by all county boards of education, city boards of education, state-supported universities, colleges, trade schools, and other educational institutions supported in whole or in part by state funds; to provide that copies of such statements shall be furnished the State Budget Officer; to provide for a form for such reports; to provide for the publishing of a statewide financial report by the State Department of Education; to provide that such report shall be a public record for inspection of all interested citizens; and to provide for the filing of such report with the Governor, the State Budget Officer, the Secretary of the Senate, and the Clerk of the House of Representatives; to prescribe penalties.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 194 (with substitute with amendment). Providing further for the regulation of transportation companies and public utilities; establishing and providing for a state department of transportation and utilities, a board to be known as the Alabama board of transportation and utilities, and the offices of administrator of transportation and utilities and of executive assistant to such administrator; providing that such department shall be in charge of an administrator who shall

be appointed by and serve at the pleasure of and whose actions shall be supervised and controlled by a legislative committee on transportation and utilities, which is hereby created and provided for; prescribing the qualifications, powers, duties, and compensation of the administrator; providing for the appointment of the board of transportation and utilities, and prescribing the powers, duties and authority of such board; prescribing the qualifications, compensation, term of office and duties of the members of such board; prescribing certain procedures for rule, order and decision making by the board of transportation and utilities, regulating hearings before such board, and providing for appeals from its orders, determinations, rules and regulations; abolishing the Alabama Public Service Commission and transferring the functions, funds, personnel, records, equipment, furniture, fixtures and other property and effects, some to the department of transportation and utilities and some to the board.

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 986. To provide that no member of a train crew, yard crew or engine crew of a railroad, which is a common carrier, shall be held personally responsible or found guilty of violating any law of this state or any municipal ordinance regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon proof of certain facts; to provide that the provisions of this Act shall not relieve the employer or railroad from certain responsibility; and to repeal certain laws and ordinances.

S. 266. To amend Section 16 of Title 23 of the Code of Alabama of 1940 providing for certain rules and regulations of the highway department.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 959. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

H. 960. To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

H. 1003. To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 1011 (with amendment). Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in

connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 1013 (with substitute). To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the acertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 1016. Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent Federal Decennial Census.

H. 1017. To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000.

H. 1023. Relating to counties having a population of not less than 21,850 nor more than 21,950; increasing the salary of the deputy solicitor in such counties.

H. 1025. Relating to counties having populations of not less than 24,525 and not more than 24,675; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

H. 1026. Relating to counties having populations of not less than 51,000 nor more than 56,000; authorizing appropriations from the treasury of any such county for the relief of C. F. Pruitt and Quillian Benson.

H. 1027. Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

H. 1028. Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalties for violations.

H. 1029. Relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

H. 1031. To amend Code of Alabama 1940, Title 14, Section 399, which prescribes the penalty for having carnal knowledge of a girl over twelve and under sixteen years of age.

H. 1034. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

H. 1040. To provide additional allowances out of the county treasury for clerk hire for temporary or part time clerks or other assistants for certain county officers in all counties having populations of not less than 35,700 nor more than 36,600 according to the most recent federal decennial census.

H. 1047. To change the method of compensating the sheriff of Barbour County, placing such officer on a salary basis; to provide that the fees, commissions, and allowances provided the sheriff under the general law shall be paid into the county treasury; and to provide that expenses, equipment and assistants necessary to the conduct of the sheriff's office be paid for by the county.

H. 1048. Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

H. 1049. To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and

the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

H. 1050. Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

H. 1051. To regulate further the recording and indexing of deeds, mortgages and other documents and instruments, which are public records, by the probate judge of Barbour County; To provide for the recording of all instruments in one general series of books in each separate division of the county; to provide that instruments will have effect only in the division wherein recorded; providing for the re-indexing of certain records filed heretofore in each of the separate divisions of the county and the placing of a copy of such index in the division where the instrument was not filed; and providing for the binding and maintenance of copies of certain maps in each division of the county.

H. 1055. Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent Federal Decennial Census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

H. 1056. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

The above bill was read a second time at length as required by the Constitution.

H. 1057. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Talladega County.

The above bill was read a second time at length as required by the Constitution.

H. 1058. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

H. 1059. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

H. 1060. Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad.

H. 1064. To amend Section 1 of Act No. 60, H. 395 of the current Regular Session 1969, an Act regulating the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000, according to the latest federal census, so as to establish a minimum for such compensation.

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative pro-

cedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 470 (with amendment). To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 677. (with substitute). To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said Plumbers Examining Board and their terms of office; to provide for the payment of compensation to the members of said Board and its employees; to define the powers conferred upon and the duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumbers apprentices; to provide for the payment of examination fees and certificate fees; to empower the Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said Board, and to provide for penalties for the violation of

this Act" so as to provide that a municipality having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

Mr. Bowers, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1037. To repeal Act No. 558, House 1070, Regular Session, 1931, (Acts 1931, p. 1653), as amended, which relates to the Jefferson County Board of Cosmetological Examiners.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

Also:

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Also:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

Also:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

Also:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all Counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

Also:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned

for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Also:

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

Also:

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

McDOWELL LEE,
Secretary.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Collier (with notice and proof):

H. 1065. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1065:

STATE OF ALABAMA
ELMORE COUNTY

Notice is hereby given that the following bill in substance will be introduced in the Legislature of Alabama at any special or regular session thereof during 1969 and application for its enforcement into law will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Elmore County, so as to annex certain territory into the City of Tallassee, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tallassee, Alabama, in Elmore County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Parcel 1. Begin at the South West Corner of Section 30, Township 18 North, Range 22 East, Elmore County, Alabama, as the point of beginning of the property to be described; thence run East along the South line of said Section 30 for a distance of 2,800.0 feet, more or less,

to the West bank of the Tallapoosa River; thence run Northerly along the West bank of the Tallapoosa River to the intersection of the North line of Section 30; thence run West along the North line of Section 30 to the North West Corner of Section 30; thence run South along the West line of Section 30 to the South West Corner and the point of beginning. All lying in Section 30, Township 18 North, Range 22 East, Elmore County, Alabama.

Parcel 2. Begin at the North West Corner of Section 19, Township 18 North, Range 22 East; thence run South 60 degrees 48 minutes East for a distance of 126.8 feet; thence run North 78 degrees 37 minutes East for a distance of 142.1 feet; thence run North 74 degrees 36 minutes East for a distance of 687.4 feet; thence run South 80 degrees 20 minutes East for a distance of 396.6 feet; thence run South 75 degrees 49 minutes East for a distance of 1085.1 feet; thence run South 75 degrees 01 minutes East for a distance of 626.5 feet; thence run North 88 degrees 42 minutes East for a distance of 320.5 feet; thence run North 26 degrees 38 minutes East for a distance of 39.5 feet; thence run South 61 degrees 32 minutes East for a distance of 64.6 feet and to the boundary of Alabama Power Company property and the point of beginning of the property to be described; thence run South 3 degrees 30 minutes West for a distance of 50.0 feet; thence run North 86 degrees 29 minutes West for a distance of 257.3 feet; thence run South 1 degrees 36 minutes West for a distance of 148.7 feet; thence run South 86 degrees 29 minutes East for a distance of 300.0 feet; thence run South 29 degrees 38 minutes East for a distance of 180.35 feet; thence run North 75 degrees 3 minutes East for a distance of 20.0 feet; thence run South 14 degrees 56 minutes East for a distance of 313.98 feet; thence run South 5 degrees 27 minutes West for a distance of 52.5 feet; thence run South 82 degrees 47 minutes East for a distance of 141.58 feet; thence run North 70 degrees 14 minutes East for a distance of 120.0 feet, more or less, to the West bank of the Tallapoosa River; thence run Southerly along the West bank of the Tallapoosa River to its intersection with the South line of Section 19; thence run West along said South line of Section 19 for a distance of 990.0 feet, more or less, to the intersection of Alabama State Highway 299; thence Northerly along the East right-of-way of Alabama State Highway 299 for a distance of 990.0 feet, more or less; thence run South 46 degrees 16 minutes East for a distance of 47.2 feet; thence run North 61 degrees 09 minutes East for a distance of 962.2 feet; thence run North 10 degrees 23 minutes East for a distance of 857.5 feet; thence run North 9 degrees 20 minutes East for a distance of 296.9 feet; thence run North 89 degrees 36 minutes East for a distance of 107.1 feet; thence run North 7 degrees 30 minutes East for a distance of 777.3 feet; thence run North 23 degress 15 minutes East for a distance of 232.0 feet to the North boundary of Mill Street; thence run North 84 degrees 53 minutes West for a distance of 129.5 feet; thence run North 84 degrees 20 minutes West for a distance of 430.5 feet; thence run North 78 degrees 22 minutes West for a distance of 95.0 feet; thence run North 51 degrees 40 minutes West for a distance of 83.0 feet; thence run North 37 degrees 07 minutes West for a distance of 260.0 feet; thence run North 24 degrees 25 minutes West for a distance of 58.0 feet; thence run North 17 degrees 57 minutes East for a distance of 62.0 feet; thence run North 47 degrees 44 minutes East for a distance of 51.0 feet; thence run North 71 degrees 14 minutes East for a distance of 57.0 feet; thence run North 85 degrees 52 minutes East for a distance of 67.0 feet; thence run North 83 degrees 46 minutes East for a distance of 147.0 feet; thence run North 86 degrees 46 minutes East for a distance of 86.0 feet; thence run North 62 degrees 07 minutes East for a distance of 63.0 feet; thence run North 33 degrees 46 minutes East for a distance of 83.0 feet; thence run North 63 degrees 46 minutes West for a distance of 32.7 feet; thence run North 26 degrees 14 minutes East for a distance of 198.9 feet; thence run North 66 degrees 24 minutes East for a distance of 52.3 feet; thence run North

18 degrees 40 minutes East for a distance of 537.0 feet; thence run South 76 degrees 28 minutes East for a distance of 126.5 feet; thence run South 22 degrees 42 minutes West for a distance of 136.2 feet; thence run South 02 degrees 53 minutes West for a distance of 260.0 feet and the point of beginning. All lying in Section 19, Township 18 North, Range 22 East, Elmore County, Alabama.

Parcel 3: Begin at the South East Corner of the Southwest Quarter (SW¼) of the Northeast Quarter, (NE¼) of Section 24, Township 18 North, Range 21 East, Elmore County, Alabama, as the point of beginning of the property to be described; thence run West along said Quarter Section Line to the intersection of the West line of Section 24; thence run North to the South West Corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼ of Section 24; thence run East to the South East Corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 24; thence run North to the North East Corner of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section 24; thence run West to the North West Corner of Section 24; thence run North to the North West Corner of the Southwest Quarter (SW¼) of Section 13; thence run East to the North East Corner of the Southwest Quarter (SW¼) of Section 13 and the West boundary of Azalea Drive; thence Southerly along the West boundary of Azalea Drive to the intersection with the North right-of-way of Friendship Road and which is also the point of intersection with the East line of the West Half (W½) of the Northeast Quarter (NE¼) of Section 24; thence run South along the East one-half Section Line of Northeast Quarter (NE¼) of Section 24 to the South East Corner of the Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) of Section 24 and the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
ELMORE COUNTY

Before me, the undersigned authority, personally appeared Herve Charest, Jr., who by me first being duly sworn deposes and says that he is the publisher of The Tallassee Tribune, weekly newspaper published at Tallassee in Elmore County, Alabama, and that the attached notice A Bill To Be Introduced In The Legislature of Alabama was published in said newspaper for 4 successive weeks to-wit: 6/19, 26, 7/3,10, 1969.

HERVE CHAREST, JR.

Sworn to and subscribed before me this 15th day of July, 1969.

CATHERINE K. CHAREST,
Notary Public.

My commission expires December 16, 1969.

By Messrs. Beck and Meade:

H. 1066. Relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Local Legislation No. 1.

By Messrs. Beck, McLain, Smith and Meade:

H. 1067. An Act relating to junk dealers by amending Chapter 52, Title 14, Section 327, Alabama Statutes.

Judiciary.

By Mr. Harper (with notice and proof):

H. 1068. To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallassee, Alabama.

Local Legislation No. 1.

Notice and Proof H. 1068:

STATE OF ALABAMA
TALLAPOOSA COUNTY

Notice is hereby given that the following bill in substance will be introduced in the Legislature of Alabama at any special or regular session thereof during 1969 and application of its enforcement into law will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the City of Tallassee, in Tallapoosa County, so as to annex certain territory into the City of Tallassee, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Tallassee, Alabama, in Tallapoosa County, Alabama, be and the same are hereby altered, rearranged and extended to as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Parcel 1. Begin at the North East Corner of Section 19, Township 18 North, Range 22 East and run South 18 degrees 54 minutes West for a distance of 998.2 feet; thence run South 34 degrees 30 minutes West for a distance of 226.5 feet to the South right-of-way of Alabama State Highway 14 and the point of beginning of the property to be described; thence run South 34 degrees 30 minutes West for a distance of 184.4 feet; thence run South 10 degrees 16 minutes East for a distance of 200.0 feet; thence run South 2 degrees 46 minutes East for a distance of 238.5 feet; thence run South 36 degrees 07 minutes East for a distance of 213.9 feet and the West Right-of-Way of South Central Boulevard, (which is also the Tuskegee Highway); thence run Southerly along the West Right-of-Way of the Tuskegee Highway to the intersection with the South Line of Section 19; thence run West along the South Line of Section 19 for a distance of 800.0 feet; more or less, to the East bank of the Tallapoosa River; thence run Northerly along the East bank of the Tallapoosa River to the South Line of the Alabama Power Company property known as Parcel No. 1 as established by survey designated "Lower Tallassee Development Map" prepared by Alabama Power Company on July 22, 1930 and recorded in the Office of the Judge of Probate of Tallapoosa County, Alabama; thence run North 86 degrees 50 minutes East for a distance of 233.0 feet; thence run North 55 degrees 30 minutes East for a distance of 235.0 feet, more or less, to the South Right-of-Way of Alabama State Highway 14 and the point of beginning. All lying in Section 19, Township 18 North Range 22 East, Tallapoosa County, Alabama.

Parcel 2. Begin at the North East Corner of Section 30, Township 18 North, Range 22 East and run West along the North Line of Section 30 for a distance of 1600.0 feet and the point of beginning of the property to be described; thence run South 00 degrees 30 minutes West

for a distance of 452.0 feet; thence run South 2 degrees 20 minutes West for a distance of 250.0 feet; thence run South 6 degrees 40 minutes West for a distance of 1,003.0 feet; thence run South 16 degrees 00 minutes East for a distance of 509.0 feet; thence run South 26 degrees 40 minutes East for a distance of 1,067.0 feet; thence run South 11 degrees 30 minutes East for a distance of 250.0 feet; thence run South 21 degrees 00 minutes West for a distance of 573.0 feet; thence run West for a distance of 312.0 feet, more or less, to the East Bank of the Tallapoosa River; thence Northerly along the East bank of the Tallapoosa River to the intersection of the North Line of Section 30; thence run East along the North Line of Section 30 for a distance of 120.0 feet, more or less, to the point of beginning. All lying in Section 30, Township 18 North, Range 22 East, Tallapoosa County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

I, Ray Pruitt, Business Manager, of the Dadeville Record published weekly at Dadeville, Alabama, do solemnly swear that a copy of the notice, as per clipping attached, was published 4 times in the regular and entire issue of said newspaper and not in any supplement thereof, for four consecutive weeks, commencing with the issue dated June 19, 1969, and ending with the issue dated July 10, 1969.

RAY PRUITT.

Subscribed and sworn before me this 11th day of July, 1969.

JEAN DAVIS,
Notary Public.

By Messrs. Neville, Sneil, Paulk, Brannan, Owen (Baldwin), Berryman (W), Higginbotham, Culver, Drake, Beck, Williams, Smith, Hain, Grayson, Steagall, Robertson, Collier, Crawford, Stembridge, Brassell and Young:

H. 1069. To prohibit charging and collection of certain fees when an arrest is made by an officer of the conservation department for violation of game, fish and water safety laws and regulations promulgated thereunder.

Conservation.

By Mr. Meade:

H. 1070. To amend Act No. 224, H. 220, approved May 10, 1967 (Acts 1967, v. 1, p. 295), an act providing for the distribution and use of the proceeds of the excise tax levied on gasoline and other motor fuels by the state, so as to redefine the phrase "base annual county distribution."

Ways and Means.

By Messrs. Meade and Beck (with notice and proof):

H. 1071. Authorizing the county governing body of Cherokee County, Alabama, to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and that the substance of said bill is as follows.

Local Legislation No. 1.

Notice and Proof H. 1071:

A BILL
TO BE ENTITLED
AN ACT

Authorizing the County Governing Body of Cherokee County, Alabama, to levy and collect a 1¢ gasoline tax on persons, corporations, copartnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and that the substance of said bill is as follows:

Be It Enacted by the Legislature of Alabama:

Section I. The term "gasoline" as used in this Act shall include gasoline naptha, and other liquid motor fuels or any devices or substitutes therefore commonly used in internal combustion engines, provided that nothing contained in this Act shall apply to those products commonly known as kerosene oil, fuel oil, and crude oil used for lighting or heating purposes. The term "person" means and includes every person, corporation, copartnership, company, agency or association singular or plural. The term "distributor" shall include any person who shall engage in the selling of gasoline as herein defined in Cherokee County, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in interstate commerce. The term "retail dealer" shall include any person herein defined as the distributor who is also engaged in the sale of gasoline as herein defined at any place in Cherokee County in broken quantities. The term "storer" as used herein shall include any person who ships gasoline into Cherokee County in tank quantities and stores the same and withdraws or uses same for any purpose.

Section II. The governing body of Cherokee County, Alabama may impose an excise tax of not exceeding 1¢ per gallon on persons, corporations, copartnerships, companies, agencies or associations engaged in the business of selling, distributing, storing or withdrawing from storage for any purpose whatever, gasoline or other liquid motor fuels or devices or substitutes therefor in Cherokee County, Alabama, and to require every distributor, retail dealer or storer of gasoline as herein defined to pay an excise tax of 1¢ per gallon upon the selling, distributing or withdrawing from storage for any use, gasoline as herein defined in Cherokee County, Alabama; provided that the excise tax levied by this Act shall not be levied upon the sale of gasoline in interstate commerce, and provided further that if the excise tax imposed by this Act upon the sale of such gasoline shall have been paid by the distributor or by a retail dealer or storer, such payment shall be sufficient, the intention being that this tax shall not be paid but once. The excise tax imposed by this Act shall apply to persons, firms, corporations, dealers or distributors storing gasoline and distributing the same or allowing the same to be withdrawn from storage, whether such withdrawal be for sale or other use, provided that sellers of gasoline and its substitutes paying the tax herein provided may pay the same computed and paid on the basis of their sales as hereinafter required, and storers and distributors shall compute and pay such tax on the basis of their withdrawals or distributions. The tax herein imposed shall be in addition to any and all excise or other taxes imposed on gasoline, naptha and other liquid motor fuels or any device or substitute therefor, or in the business of selling, distributing, storing or withdrawing from storage for any purpose gasoline as herein defined by the State of Alabama or any other agency or subdivision of the State of Alabama except the governing body of said County shall have no authority to levy any tax upon any gasoline as herein defined when used in essential

governmental functions by the County governing agencies, municipalities and boards of education.

Section III. On or before the 20th day of each month after the passage of this Act, every person upon whom the excise tax is levied shall render to the governing body of such county on forms prescribed by such governing body a true and correct statement of all sales and withdrawals of gasoline made by him or them during the next preceeding month, liable for payment of the excise tax imposed by this Act, and shall furnish to said governing body such additional information as such governing body may require upon blanks to be formulated and furnished by said governing body, and at the time of making such report shall pay to the said governing body an amount of money equal to the excise tax levied by this Act. The statement herein required to be made by the distributor, storer or retail dealer shall be sworn to before some officer authorized to administer oaths, and any false statement sworn to shall constitute perjury and upon conviction thereupon the person so convicted shall be punished as provided by law for the crime of perjury.

Section IV. All distributors, storers and retail dealers shall keep for not less than two years within the State of Alabama at some place or office such books, documents or papers as will clearly show the amount of sale or withdrawals of gasoline made in Cherokee County taxed under this Act.

Section V. Within thirty days after any tax shall have been levied under authority of this Act every distributor, storer or retail dealer engaged in the sale or withdrawal of gasoline in Cherokee County shall make a report on blanks furnished under Section II hereof to the governing body of said County, showing the place and postoffice address at which he is engaged in the business of distributor or storer or retail dealer in gasoline within said County, which information shall be entered by the governing body of said County on a book kept for that purpose, and should such distributor, storer or retail dealer move his place of business from one address to another, such distributor, storer or retail dealer shall within thirty days thereafter notify the said governing body of such removal giving the former place and postoffice address and also the place and postoffice address to which his place of business has been removed. After the tax imposed under this Act has become effective, no person shall become a distributor, storer or seller of gasoline in said County until he shall have made such reports to the said governing body.

Section VI. If any distributor, storer or retail dealer of gasoline in said County shall fail to make the reports or any of them as required in any provision of this Act, or shall fail to comply with any regulation adopted for the collection of said tax by the governing body of said County, within the time required for making such reports, or shall fail to pay the tax imposed within the time fixed for the payment thereof, said distributor, storer or retail dealer shall be guilty of a misdemeanor, upon conviction thereof shall be fined not less than $50.00 nor more than $300.00 for each offense.

Section VII. It shall be the duty of the governing body of said County to enforce the provisions of this Act upon its imposing the tax hereunder, and it shall have the right itself, or its members, or its agents, to examine the books, reports and accounts of every distributor, storer or retail dealer of gasoline on which such tax has been imposed and to make any rules and regulations necessary and proper for the collection of such tax.

Section VIII. If any distributor, storer or retail dealer in gasoline shall fail to make monthly reports or shall fail to pay the tax imposed under authority of this Act, the tax shall be deemed delinquent within

the meaning of this Act and there shall be added to the amount of his tax a penalty of 25 per cent, provided if in the opinion of the governing body of the said County a good and sufficient cause or reason is shown for such delinquency, the penalty may be remitted. The said governing body shall be authorized and empowered to make returns for delinquent tax payers upon such information as it may reasonably obtain and add to the penalty as prescribed by this Act. If any person shall be delinquent in the payment of any tax imposed by this Act, the governing body of said County shall issue execution for the collection of the same, directed by any sheriff to the State of Alabama, who shall proceed to collect the same in the manner now provided by law for the collection of delinquent taxes by the County Tax Collector and make return of such execution to the governing body issuing the same. The tax herein authorized to be levied and the penalties herein provided for, shall be held as a debt payable to the County of Cherokee by the person against whom the same shall have been imposed or against whom the penalties shall have been accrued, and all such taxes and penalties shall be a lien upon the property in said County and elsewhere in this State of the person against whom said tax shall have been imposed and the penalties shall have accrued.

Section IX. The acceptance of any amount paid for the excise tax imposed under this Act shall not preclude the collection of the amount actually due, however, the amount actually paid shall constitute a credit against the amount actually due.

Section X. Any distributor, storer or dealer who shall violate any provisions of this Act or shall fail to comply with any reasonable rule or regulations promulgated hereunder, may be restrained and proper prosecution instituted in the same of said County by the Attorney General of the State of Alabama, or by such counsel as the governing body of said County shall direct, from distributing, selling, storing, or withdrawing from storage any gasoline, the sale or withdrawal of which is taxable until such person shall have complied with the provisions of this Act.

Section XI. Each agent or any railroad company, bus or truck operator or other transportation company or agency operating in Cherokee County shall report to the governing body of said County on the first day of October, January, April and July of each year all shipments of gasoline as defined in this Act or substitutes therefor handled by him or through the station or office at which he is the agent, and delivered to any person in Cherokee County, Alabama, during the preceeding three months, giving the name and address of the consignor or consignee shipping and receiving said gasoline or substitute therefor and the number of gallons or pounds contained in each and every shipment. Provided, however, no person, firm, corporation, dealer or distributor shall be liable for the excise tax imposed by this Act, upon gasoline stored or withdrawn from storage in Cherokee County for sale and delivery outside the boundaries of said County.

Section XII. Except as herein otherwise provided, the proceeds of any taxes imposed under authority of this Act shall be paid into the road, bridge and public building fund of Cherokee County, Alabama, and same shall continue to be received, maintained and expended subject to control and direction of the Governing Body of Cherokee County, Alabama, in the manner authorized by law.

Section XIII. Upon the request of the governing body of such County the State Tax Commission of Alabama, with the approval of the Governor, may collect the tax imposed under this Act for and on behalf of Cherokee County; and in that event it is given all the power, jurisdiction, authority, and privileges granted to the governing body of

Cherokee County hereunder, and all reports, payments and information required to be made, paid or given to the governing body of such county, shall be made, paid or given to the State Tax Commission under the penalties and subject to the prosecution prescribed herein. This section being for the benefit of the County, the State Tax Commission, and the State of Alabama, shall be chargeable only with the tax actually collected by it. The State Tax Commission, upon the collection of such tax, shall, within five days, remit the same to the governing body of Cherokee County.

Section XIV. Should any section, paragraph or portion of this Act be declared unconstitutional it shall not invalidate the remaining sections, paragraphs or portions hereof.

Section XV. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Lois Flemming Notary Public in and for said county in said state personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Notice of bill to be entitled an act as published in said newspaper once a week for four consecutive weeks, 6-4-69, 6-11-69, 6-18-69, 6-25-69, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 25th day of June, 1969.

LOIS FLEMING,
Notary Public.

By Messrs. Lemley and Bowers:

H. 1072. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

Local Legislation No. 1.

By Messrs. Cook (Jefferson), Dill, Watkins, Yeilding, Gloor, Jackson (T), Money, Kilgore, Waggoner, Meeks, House, Sessions, and Bowers:

H. 1073. To amend Section 3 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, Page 1132, et seq) which fixes, levies, and requires the payment of a license tax upon the sale, distribution, delivery, storage, or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent federal census.

Health.

By Messrs. Dill, Watkins, Yeilding, Gloor, Jackson (T) Money, Weeks, Kilgore, Waggoner, Meeks, House, Cook (Jefferson), Ellis, Sessions and Bowers:

H. 1074. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, Page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Local Legislation No. 2.

By Messrs. Dill, Yeilding, Gloor, Jackson (T), Money, Kilgore, Meeks, House, Cook (Jefferson), Ellis, Sessions and Bowers:

H. 1075. To amend further Section 18 of Title 19, of the Code of Alabama of 1940, as heretofore amended by an Act entitled "An Act to amend Section 18 of Title 19 of the Code of Alabama of 1940," Act No. 758, Regular Session of the Legislature of Alabama 1953, (Acts of 1953, Vol. 2, Pages 1020 and 1021), so as to provide for the exemption of cities having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census, from posting bond for right of entry in condemnation appeals from probate court to circuit court.

Local Legislation No. 2.

By Messrs. Dill, Watkins, Yeilding, Gloor, Jackson (T), Money, Weeks, Kilgore, Meeks, Waggoner, House, Cook (Jefferson), Ellis, Sessions and Bowers (with notice and proof):

H. 1076. Relating to Jefferson County; providing for the disposal by the county purchasing agent, or other county officer performing the duty of the county purchasing agent, of contraband or illegal articles that come into possession of the sheriff of such county through the performance of the duties of that office where such disposal is not presently authorized by law.

Local Legislation No. 2.

Notice and Proof H. 1076:

A BILL
TO BE ENTITLED
AN ACT

Relating to Jefferson County; providing for the disposal by the county purchasing agent, or other county officer performing the duty of the county purchasing agent, of contraband or illegal articles that come into possession of the sheriff of such county through the performance of the duties of that office where such disposal is not presently authorized by law.

Be It Enacted by the Legislature of Alabama:

Section 1. The county purchasing agent, or other officer performing the duty of the county purchasing agent of Jefferson County, shall have the authority to dispose of contraband or other illegal articles, un-

claimed motor vehicles and other articles that come into possession of the sheriff of the county through the performance of the duties of that office where such disposal is not presently authorized by law as hereinafter provided.

Section 2. It shall be the duty of the sheriff, having received possession of any of the articles mentioned in Section 1 of this act, to report the seizure and detention thereof in writing to the district attorney or person performing the duty of district attorney of Jefferson County. It shall be the duty of the district attorney or person performing the duty of the district attorney to file a bill in equity in the circuit court of Jefferson County praying that such articles be forfeited to the state and be sold by the county purchasing agent or person performing the duty of the county purchasing agent and the money received from such sale or sales be paid into the general fund of the county. Such forfeiture and sale shall proceed and be determined in equity in the circuit court of Jefferson County in the same form and manner, as near as may be, as in the forfeiture and destruction of gaming devices, except as herein otherwise provided. When any decree of condemnation and sale is made under the provisions of this section the judge or chancellor making such decree shall direct therein the sale of said articles by the purchasing agent of the county, in the event no appeal is taken within fifteen (15) days from the rendition thereof, shall be carried out and executed before the expiration of twenty (20) days from the date of the decree. The court, at its discretion, shall direct in said decree that the costs of the proceedings be paid by the person in whose possession said contraband or other articles were found when seized, or by any party, or parties, who claim to own said contraband or other articles, or any interest therein, and who contested the condemnation and forfeiture thereof, and if such are not collected by execution, the register shall tax and collect such costs from the county and the same shall be paid as in criminal cases in which the state fails, upon the court making an order to that effect.

Section 3. All laws or parts of laws which conflict with this act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 14, 21, 28, July 5, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 7th day of July, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Messrs. Dill, Watkins, Yeilding, Gloor, Jackson (T), Money, Weeks, Kilgore, Meeks, Waggoner, House, Cook (Jefferson), Ellis, Sessions and Bowers:

H. 1077. To further amend Section 9 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Local Legislation No. 2.

By Messrs. Dill, Gloor, Jackson (T), Money, Weeks, Kilgore, Meeks, House, Cook (Jefferson), Ellis and Bowers:

H. 1078. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, in which said city there shall have been or hereafter shall be created a public building corporation as provided for in Act Number 493, 1955 Acts of Alabama, as now or hereafter amended, to lease or convey to such public building corporation any property which shall have been acquired by such public building corporation as a result of any "Project" after the bonds have been paid in full, notwithstanding Section 21 of said Act Number 493, as same may have been or may hereafter be amended.

Local Legislation No. 2.

By Messrs. Dill, Watkins, Yeilding, Gloor, Jackson (T), Money, Weeks, Kilgore, Meeks, Waggoner, House, Cook (Jefferson), Ellis, Sessions, and Bowers:

H. 1079. To further amend Section 23 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 (Ala. Acts, 1951, p. 1579 et seq.), which created for each city having a population of two hundred and fifty thousand (250,000) or more, according to the last or any succeeding federal census, a pension and relief or retirement system for officers and employees of such city.

Local Legislation No. 2.

By Messrs. Dill, Watkins, Yeilding, Gloor, Jackson (T), Money, Kilgore, Meeks, Waggoner, House, Cook (Jefferson), Ellis, Sessions and Bowers:

H. 1080. To authorize any County of this State having a population of 500,000 or more, according to the last or any subsequent Federal Census, to reimburse any officer, agent or employee of the County for any taxes which another State, or any County, municipality or political subdivision thereof, exacts from, or charges, such officer, agent or employee when he obtains in such other State lodging, or other facilities or items, which it is necessary for him to obtain in the performance of his duties for the County.

Local Legislation No. 2.

By Messrs. Dill, Yeilding, Gloor, Jackson (T), Money, Weeks, Kilgore, Meeks, House, Cook (Jefferson), Ellis and Bowers:

H. 1081. Relating to counties having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census; to provide for additional times when real property may be returned and valued for ad valorem tax purposes.

Local Legislation No. 2.

By Messrs. Dill, Watkins, Yeilding, Gloor, Jackson (T), Money, Weeks, Kilgore, Waggoner, Meeks, House, Cook (Jefferson), Ellis and Bowers:

H. 1082. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policemen's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Local Legislation No. 2.

By Messrs. Dill, Watkins, Yeilding, Jackson (T), Money, Weeks, Kilgore, Meeks, House, Cook (Jefferson), Ellis, Sessions and Bowers (with notice and proof):

H. 1083. To amend further the title, subsection (e) of Section 1, and Section 2 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq.), which established a pension system for the officers and employees of Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 1083:

Notice is hereby given of an intention to apply at the regular session of the legislature of Alabama of 1969 for adoption of an act further amending Act No. 497 of the regular session of the legislature of Alabama of 1965, approver August 20, 1965, (Ala. Acts, 1965, P. 717 et seq.)

An Act entitled "An Act to amend further the Title, Subsection (e) of Section 1, and Section 2 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq.), which Act established a pension system for the officers and employees of Jefferson County, Alabama" will be proposed to the Regular Session of the Legislature of Alabama of 1969. Said Act proposed in substance to include as members of the pension system for officers and employees of Jefferson County, Alabama, the employees of the Library Board of the City of Birmingham, whose duties are performed under the direct supervision of the Library Board, excluding members of such Library Board, and excluding officers elected by the people, and provided that the salary of such persons is paid, directly or indirectly, from the public funds of Jefferson County.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of

Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 14, 21, 28, July 5, 1969, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 7th day of July, 1969.

KAREN W. ABERCROMBIE,
Notary Public.

By Mr. Edington:

H. 1084. Relating to education; to declare the public policy of the State of Alabama in regard to furnishing transportation to and from school for children attending public and non public elementary schools, junior high schools and high schools within the state; to declare that the furnishing of such transportation by the state constitutes a service rendered to the child receiving such aid and shall not be construed to be a service rendered to the school to which such child attends; to authorize and direct boards of education to provide such transportation; to authorize the expenditure of state funds to provide such transportation; to authorize the payment of state funds to parents, in lieu of providing such transportation, to assist them in providing such transportation; and to provide a judicial remedy for the enforcement of this act.

Education.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 1085. To provide for the City of Tuscumbia, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

Local Legislation No. 1.

Notice and Proof H. 1085:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the City of Tuscumbia, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

Be It Enacted by the Legislature of Alabama:

Section 1. Application. This Act shall apply to and have application in the City of Tuscumbia only and to the police department, the fire department, and the city clerk's office of such city.

Section 2. Definitions. As used in this Act unless the context plainly indicates a different meaning, the following words, terms and phrases shall have the meanings respectively ascribed to them: "city" means the City of Tuscumbia; "employee" means any person (including the head of the department) who is employed in the service of the city on a regular monthly salary in the city clerk's office, the fire department or the police department; "board" means the civil service board created by this Act; "head" of department includes chief of the police department, chief of the fire department, and city clerk; "veteran" means any person who was honorably discharged after serving for six months or more in the armed services of the United States during World War I or World War II. Words used in the masculine gender include the feminine and neuter; the singular includes the plural, and the plural the singular.

Section 3. Civil service system. All employees of the city as herein defined shall be subject to the civil service rules and regulations prescribed in or promulgated pursuant to this Act. Present employees and those who may hereafter be employed shall remain in their respective employments during good behavior, efficiency, and obedience to such rules and regulations as may, from time to time, be prescribed by the board, and the board may by rules prescribe a retirement age for all employees; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner hereinafter provided; and no present employee shall be subject to any examination in order to hold his present position.

Section 4. Civil service board. There is created the Civil Service Board of Tuscumbia, which shall be composed of three members designated respectively as Member No. 1, Member No. 2, and Member No. 3, each of whom shall be over twenty-five years of age, of recognized character and ability, and an actual resident in and a qualified elector of the city. No person shall be eligible for membership on the board who holds any civil office of profit under the city, county, or state. Immediately after the passage of this Act, Members No. 1, 2, and 3 shall be appointed by the city governing body. Member No. 1 shall be appointed to serve for a period of one year, Member No. 2 shall be appointed to serve for a period of two years, and Member No. 3 shall be appointed for a period of three years. Each year thereafter the city governing body shall appoint one person as the successor to the member of the civil service board whose term expires that year, to serve for a period of three years. Vacancies occurring from death or resignation shall be filled by the city governing body for the unexpired term. Any member of said board whose term shall expire shall be eligible for reappointment. The board shall meet at least once a month in the municipal building on a date and at an hour to be fixed by its rules and regulations, and as often as shall be necessary for the orderly dispatch of its business. Two members of said board shall constitute a quorum. All appointments to the board shall be by unanimous vote of the governing body of the city.

Section 5. Qualification by member. Every person appointed a member of the civil service board shall, within fifteen days after his appointment, qualify by making oath that he is eligible for said office and will faithfully perform the duties of the same. Such oath shall be administered by any person authorized to administer oaths or by any member of the city governing body, and a copy thereof shall be filed with the city clerk.

Section 6. Compensation. The compensation of each board member shall be one hundred dollars per annum, payable quarterly by the city, and the member chosen to serve as secretary of the board shall be paid an additional sum of fifty dollars per annum, payable quarterly, for his services as secretary.

Section 7. Records of the board. The board shall keep minutes of its meetings and a record of all business transacted by it. Its records, except those which the rules of the board require to be held confidential for reasons of public policy, shall be open for inspection by any resident of the city at all reasonable times. The secretary shall act as the custodian of the records of the board. The police department shall furnish such clerical assistance as may be needed by the board.

Section 8. Powers and duties of the board. The board shall make rules and regulations to carry out the purposes of this Act, and to provide for examinations, appointments, and removals, and the board may, from time to time, make changes in its rules. The head of each department shall recommend for promotion persons to fill any vacancies that may occur in his department. All promotions shall be made by the board. The board may make rules and regulations relating to eligibility for promotion. The board shall: (1) classify the different types of service to be performed in the departments of the city; (2) prescribe qualifications, including those of character, education, training and experience, for the appointees and incumbents of each class; (3) subject to approval of the city governing body, fix a maximum and minimum salary for each class; and (4) allocate each position in the service of the city to its proper class. The board shall establish rules and regulations governing dismissals, suspensions, layoffs, terminations, vacations, and leaves of absence; and such rules and regulations shall govern in such matters. Except in connection with a reduction in force, demotion, suspension, or a general decrease in the salary of all employees in any one department, no employee's regular salary or compensation may be reduced without the approval of the board. All employees shall be appointed upon a non-partisan merit basis. In the event a reduction in force becomes necessary in any department, the order of layoff shall be inverse to the order of appointment.

Section 9. Appointments. The board shall make and keep a register or list of all persons eligible and available for appointment to each class of position, and all appointments shall be made from such eligible list. Persons laid off and who are eligible and available for re-employment shall be placed at the head of the proper eligible list in the inverse order of their layoffs. Employees who resign may be granted re-employment status under such circumstances and in such manner as may be provided for in the board's rules and regulations. Persons desiring appointment may file application with the board and the board shall, from time to time, conduct examinations to test the ability and qualifications of such applicants. Except as otherwise provided herein, all applicants shall be examined. Examinations shall be open to all citizens of the United States, public, competitive, and subject to the limitations specified by the board as to age, residence, health, weight, habits, moral character, and other factors pertinent to ability to discharge the duties of the position sought. Examinations shall be practical in character and shall relate to those matters which test the ability of the persons examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible list which is more than two years old. All applicants shall be graded. A veteran and the widow of a veteran shall have five points added to his or her grade. Any veteran who is drawing compensation shall have 5 points added to his or her grade. Any veteran who is drawing compensation from the United States because of a service-connected disability shall have 10 points added to his or her grade. The board shall not examine or appoint any person who is not a citizen of the United States or who has been convicted of a felony or an offense involving moral turpitude.

Section 10. Application for employment. All applicants for employment shall file their application in writing with the board, said application to be on blank forms furnished by the board. The board shall

conduct all examinations and whenever an examination is to take place shall notify the applicants in writing. Each applicant for examination shall pay to the city clerk the sum of two dollars as an examination fee, and the receipt therefor shall be attached to his application. Said sum shall be placed in the general fund of the city.

Section 11. Vacancies. The city governing body shall notify the board of any vacancy which occurs in the city clerk's office, the fire and police department, and the board shall furnish to it the names and addresses of the three applicants standing highest on the eligible list; and one of the said applicants shall be appointed by the governing body of the city to fill such vacancy. All appointments shall be on a trial basis for a period of six months from the date of appointment. Before the expiration of said period, the head of the department concerned may, by and with the consent of the board, discharge the appointee upon assigning in writing his reasons therefor to the board.

Section 12. Demotions or suspensions. A department head shall have the authority in his department to demote any subordinate employee by and with the consent and approval of the board, provided, however, that upon written demand filed with the board within five days from the date of the order of demotion the employee shall be given a public hearing by the board before any order of demotion shall be final. A department head shall have authority to suspend any subordinate employee in his department pending the hearing by the board. Any head of a department may be similarly suspended or demoted by the city governing body and shall have the same right of hearing.

Section 13. Removals and discharges. No permanent employee shall be removed or discharged except for cause, upon charges filed with and decided by the board, and after an opportunity has been given him to face his accusors, to be heard in his own defense, and to be represented by counsel. Written charges may be filed against any such employee by the governing body of the city or by any member thereof or may be filed by any department head as to any subordinate employee in his department by filing a written statement of such charges with the board. Charges against any department head or any employee may be filed by any resident citizen of the city.

All charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before a member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and, if not, such charges may be dismissed by the board, but if the board is of the opinion that a trial should be held thereon, the board shall hold a public hearing on the charges, and take such disciplinary action as in its judgment is warranted by the evidence and under the law.

All hearings before the board shall be open to the public, provided that when a written waiver of a public hearing, signed by the complaintant and the accused employee, is filed with the board, the public may, in the discretion of the board, be excluded. All testimony given in all hearings before the board shall be taken down in shorthand by a stenographer furnished by the police department. In all cases, the decision of the board shall be reduced to writing and entered in the record of the case. In all proceedings before the board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof or by any department head, when requested or directed to do so by such city governing body. I shall not be the duty of the city attorney to prosecute any charges brought by private citizens. In all proceedings before the board, the city attorney

may appear and represent the interest of the city, and he shall also give such legal advice and legal assistance to the board as may be requested by it. If any employee against whom charges are pending willfully fails or refuses to attend the hearing of such charges before the board, the board may proceed with the hearing in his absence and take action on the charges the same as if the were present. The board, its specially authorized representatives, and each member of the board shall have the power to administer oaths, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of paper necessary as evidence in connection with any hearing, investigation, or proceeding within the purview of this Act. In case a person refuses to obey any subpoena, the board or its representatives may invoke the aid of any circuit court in order that the testimony or evidence be produced. Upon proper showing such court shall issue a subpoena or order requiring the person to appear before the board or its representatives and produce evidence and give testimony relating to the matter in issue. A person who fails to obey such subpoena may be punished by the court for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this state, which fee shall be paid from the city treasury.

Section 14. Review of decision and appeals. Any party, including the city governing body, aggrieved by a final decision of the board is entitled to a review of such decision by the circuit court of Colbert County, Alabama, by filing a petition in said court within ten days after such final decision is rendered, such petition to be accompanied by such security for the costs of the filing of any such petition and approval of such security, notice thereof shall be served upon the chairman of the board by the petitioner. Such petition shall be heard by the court at the earliest practical date. Review by the court shall be without a jury and confined to the record, including a transcript of the evidence. The court may, upon such terms and conditions as it shall deem proper, at any time before the hearing of the petition, permit the taking of additional evidence before the board and allow modification of the board's findings and final decision. The court upon a hearing of the petition, shall have power to affirm or reverse and render the decision of the board or to remand the matter to the board for further proceedings consistent with the judgment of the court. The court shall affirm the decision of the board unless it finds that the substantive rights of the petitioner have been prejudiced because the final decision of the board was: (1) unsupported by substantial evidence in the record submitted; (2) in excess of the authority conferred by this Act on the board; (3) violative of constitutional provisions; (4) arbitrary or capricious; (5) affected otherwise by substantial error or injustice. Within 30 days an appeal may be taken from any final judgment of such court to the Court of Appeals of Alabama or the Supreme Court of Alabama. The decision or order of the board shall not be superseded by any review or appeal, and the city shall not be obligated to pay the salary of any employee who is not working during the pendency of any review of appeal.

Section 15. Political activities prohibited. No person shall be appointed or promoted to, or dismissed from any position, or favored or discriminated against with respect to employment because of his political or religious opinions or affiliation. No person shall seek or attempt to use any political endorsement in connection with any appointment to a position. No member shall directly or indirectly solicit any employee for a subscription or contribution for any political organization. No employee shall be a member of any national, state or local committee of a political party, or any official of a partisan political club or a candidate for nomination or election to any public office, nor, shall he take any part in the management or affairs of any political party or

political campaign except to exercise his right as a citizen privately to express his opinion and to cast his vote. Any employee who violates any of the foregoing provisions of this section shall suffer such disciplinary punishment as the board may direct.

Section 16. Penalties. The violation by any employee of any provision in this Act or of any of the rules or regulations issued by the board is pursuance thereof, shall constitute an offense for which charges may be preferred against such employee as hereinabove provided, and if such charges are sustained by the board, after a notice and hearing as provided, such employee may be discharged or lesser disciplinary action taken against him. The board may in its discretion also decline for a period of one year to reappoint an employee who has been discharged for such cause. The board may on its own motion institute charges against an employee for the violation of any of the provisions of this Act or of any of the rules or regulations issued in pursuance hereof.

Section 17. Special police officers and temporary appointments. The city governing body may, in an emergency, or in cases where it deems proper, authorize the chief of police to appoint for temporary service such number of police officers as in the opinion of the city governing body the existing conditions demand. All officers so appointed shall be furnished with badges of different size and design from the regulation badges used by the regular members of the police force. The chief of police shall furnish the board with the names and addresses of all persons to whom he has issued special badges. From and after the effective date of this Act, all outstanding commissions conferring police authority upon persons other than those who are regular members of the police department of such city shall be void. The city governing body may, in an emergency or in cases where it deems proper, authorize the head of any department named in this Act to appoint for temporary service such number of salaried employees (including part-time employees) as in the opinion of the board the existing conditions require. No such temporary appointment shall be made for a period of more than 30 days.

Section 18. Chairman of the board. The board shall annually elect one of its members as chairman and one as secretary. All meetings of the board shall be held in the municipal building unless otherwise provided by such board.

Section 19. Printing regulations. The board shall, within 90 days after appointment and qualification of the members thereof, adopt and have printed such rules and regulations, in accordance with the provisions of this Act, as it may deem proper. Said rules and regulations and all amendments thereafter adopted shall be kept on file in the office of the city clerk and open for public inspection. No amendment thereto shall become effective until notice of its adoption has been given for 30 days by posting a copy of the same in the vestibule of the municipal building.

Section 20. Constitutionality. Each section of this Act and each part of each section are hereby declared to be independent sections and parts of sections, and if any section, sentence, clause or provision of this Act shall be held or declared to be unconstitutional or void, it shall not affect or destroy the validity or constitutionality of any other section, sentence, clause or provision of this Act which is not of itself void and unconstitutional.

Section 21. Severability. If this Act or its enforcement by the board shall be called into question in any judicial proceedings, or if any person shall fail or refuse to comply with the lawful orders of said board, such board, with the approval of the city governing body,

may employ counsel to represent it in sustaining this Act or the enforcement thereof, and the compensation of such counsel shall be paid by the city.

Section 22. Inconsistent laws repealed. All laws and parts of laws in conflict or inconsistent herewith are hereby repealed.

Section 23. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming Law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

Before me, Rebecca G. Blankenship, a Notary Public, in and for said State and County aforesaid, personally appeared Richard S. McGrew Sr., Publisher of The Centreville Press, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: June 12, 19, 26, July 3, 1969; That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscumbia, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

RICHARD S. McGREW SR.

Sworn to and subscribed before me, this 10th day of July, 1969.

REBECCA G. BLANKENSHIP.

By Mr. Perloff:

H. 1086. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act." so as to provide further for contracts of corporations not qualified to do business in this state.

Judiciary.

By Mr. Perloff:

H. 1087. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Judiciary.

By Messrs. McLain, Laxson, Pennington, Grainger and Jones:

H. 1088. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Huntsville in Madison County.

Local Legislation No. 4.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Laxson and McLain:

H. 1089. Prohibiting any political party chairman or other party official from certifying for any ballot the name of any person who has not authorized his name to be so certified; making violation of the Act a misdemeanor and setting the penalties therefor.

Constitution and Elections.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 1090. Relating to Franklin County, providing for appointment of a clerk by the Register of the Circuit Court, in Equity, and for payment of such clerk's salary by the county.

Local Legislation No. 1.

Notice and Proof H. 1090:

STATE OF ALABAMA
FRANKLIN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Franklin County, providing for appointment of a clerk by the Register of the Circuit Court, in Equity, and for payment of such clerk's salary by the county.

Be It Enacted by the Legislature of Alabama:

Section 1. The Register of the Circuit Court, in Equity for Franklin County, Alabama, may appoint a clerk to hold office at the pleasure of the register and to perform such duties as the Register directs. The beginning salary of said clerk shall be $125.00 per month, payable monthly, which said salary shall be paid from the general fund of the county. From time to time, as the work load in the office of the Register increases, and consequently the work load of said clerk increases, the Register may request the Board of Revenue of the county to raise the salary of said clerk, subject to the approval of the board, in multiples of $25.00 per raise per month.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, June 26, July 3, and July 10, all in the year 1969.

CLAUDE E. SPARKS.

Sworn to and subscribed before me July 10, 1969.

MAE G. STREIT,
Notary Public.

By Mr. Mathews:

H. 1091. Relating to counties having populations of 10,800 or less, according to the last or any subsequent federal decennial census; to fix the compensation of the county solicitor in such counties; to repeal conflicting laws.

Local Legislation No. 1.

By Mr. Mathews:

H. 1092. To make a supplemental appropriation to the Department of Public Safety.

Judiciary.

By Mr. Watkins:

H. 1093. To amend further Act No. 215, Regular Session 1947, as amended (Acts 1947, p. 81); which act as amended provides for the incorporation of park and recreation authorities in cities having populations of more than 300,000; by requiring the boards of directors of said authorities to be elected.

Business and Labor.

By Messrs. Stembridge and Crawford:

H. 1094. Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act.

Local Legislation No. 1.

By Messrs. Graham and Berryman (W) (with notice and proof):

H. 1095. Relating to the office of the sheriff of Colbert County; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Local Legislation No. 1.

Notice and Proof H. 1095:

STATE OF ALABAMA
COUNTY OF COLBERT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the office of the sheriff of Colbert County; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Be It Enacted by the Legislature of Alabama:

Section 1. For the purposes of this Act the following words shall have the following meaning:

"County" shall mean Colbert County.

"Deputy" shall mean any person deputized and regularly employed by the sheriff of the county, and whether or not such employment is regular employment shall be determined by the court of county commissioners or other like county governing body.

"County governing body" shall mean the existing county governing body of Colbert County or any succeeding governing body of such county.

"Civil service board of appeals" shall mean the board created by this Act.

Section 2. This Act shall apply to all regularly employed deputies of the sheriff, except the chief deputy who shall not be subject to the provisions hereof. Provided, however, any deputy sheriff who is promoted to the position of chief deputy shall be entitled to the right of reemployment as a deputy upon completion of his term as chief deputy.

Section 3. There shall be created a civil service board of appeals for the purpose of regulating the tenure of employment of certain deputies in the office of the sheriff. Such board shall be composed of the county governing body, including its chairman, and two additional members to be appointed, one of whom shall be appointed by the county governing body and one by the sheriff of the county. One of the two members originally appointed shall serve for a term of four years and one for a term of six years, and they shall draw lots to determine the length of term each shall serve. Thereafter all appointed members shall serve for terms of six years each and until their successors are appointed and qualified. Members of the county governing body, including the chairman, who shall serve on such board during their respective terms of office on the county governing body shall serve without additional compensation.

No person shall be eligible to appointment who holds any civil office of profit under the federal, state, county or city government, or is a candidate for such office. All appointed members shall be bona fide residents and qualified electors of the county, and shall be persons of recognized character and ability. Vacancies on the board shall be filled for unexpired terms in the same manner as original appointments. Appointed members of the board shall be entitled to receive ten dollars for each day actually served in transacting the business of the board, but no member shall in any case receive more than two hundred fifty dollars ($250) in any one year, such sums to be paid out of the general fund of the county.

Section 4. The civil service board of appeals shall meet in organizational session in the county courthouse within thirty days after this Act shall become effective, at which time it shall elect a chairman from among its members, and shall meet at such other times as the chairman shall designate or on call of any four of its members.

Section 5. No deputy sheriff to whom this Act applies shall engage in partisan politics or make political contributions nor use or attempt to use any political endorsement or favor in connection with his employment as a deputy, nor shall any deputy use or attempt to use any official authority or influence in connection with the vote of political action of any person or for any consideration. Provided, nothing in this Act shall be interpreted to prevent any deputy from exercising his right to express his opinion privately and to cast his vote. No deputy shall be demoted or dismissed from his position or in any way favored or discriminated against with respect to his employment because of his political or religious opinions or affiliations.

Section 6. Any deputy, to whom this Act applies, who has been given permanent status may be disciplined through suspension, demotion or dismissal. Before any deputy may be suspended or demoted, he must be given written notice at least five days in advance of such cause of action, and no suspension shall be for more than thirty days duration in any twelve months period.

Section 7. Any deputy, to whom this Act applies, may be dismissed for good cause by giving him written notice of the cause, and such deputy shall have an opportunity within a specified period of not less than seven nor more than thirty days to answer the charges made against him and to ask for a hearing before the civil service board of appeals created herein. The board shall thereupon order the charge or complaint to be filed forthwith in writing and shall hold a hearing de novo on such charges. No deputy shall be removed, discharged or demoted except for some personal misconduct, or fact, rendering his further tenure harmful to the public interest, or for some cause affecting or concerning his fitness or ability. If such removal, dismissal or demotion is appealed to the civil service board of appeals, then the same shall become final only after a hearing upon the written charges or complaint has been had, and after an opportunity has been given to the deputy to face his accusers, and to be heard in his own defense. Pending a hearing on said appeal, the affected deputy may be suspended. After such hearing the civil service board of appeals may order such deputy to be reinstated, demoted, removed or discharged or suspended, or take such other disciplinary action as in its judgment is warranted by the evidence and under the law.

Section 8. Charges may be filed by any resident of the county as follows: the charges must be in writing, must set forth succinctly the matter or matters complained of, and must be sworn to before any member of the board or before any person authorized to administer oaths. Upon the receipt of such charges, the board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and, if not, such charges may be dismissed by the board. If in the judgment of the board, such charges are of a minor nature, the charges may be referred to the sheriff who shall make an investigation and file his recommendations concerning such charges with said board within such time specified by said board as to what disciplinary action, if any, should be taken. After receipt of such recommendation and after due notice is given to the deputy affected, the board in its discretion, may adopt and order executed such recommended action or part thereof, as it deems appropriate. If, however, the complainant or affected deputy, or both, shall object to the recommendation of the sheriff, the civil service board of appeals shall hold a public hearing de novo on the charges, and take such disciplinary action as in its judgment is warranted by the evidence and under the law.

All hearings before the civil service board of appeals shall be open to the public, provided that when a written waiver of a public hearing, signed by the complainant and the affected deputy, is filed with said board, the public may, in the discretion of the board be excluded. All testimony given in all hearings before said board shall be recorded verbatim whenever the complainant or the affected deputy requests that such record be made. In cases, the decision of the board shall be reduced to writing and entered in the record. Said board shall have power to administer oaths, take depositions, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in any hearing or investigation or proceedings within the purview of this Act.

Section 9. Any deputy aggrieved by the decision of the civil service board of appeals may appeal such decision to the circuit court of

the county within thirty days from the rendition of the decision. Review by the court shall be without a jury and be confined to the record, and to a determination of the questions of law presented. The findings of fact of the civil service board of appeals shall be final and conclusive.

Section 10. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. All laws or parts of laws which conflict with this Act are repealed.

Section 12. This Act shall become effective on July 1, 1970.

PROOF OF PUBLICATION

STATE OF ALABAMA
COLBERT COUNTY

Before me, Rebecca G. Blankenship, a Notary Public, in and for said State and County aforesaid, personally appeared Richard S. McGrew Sr., Publisher of The Centreville Press, and after being duly sworn by me, deposes and says that the attached Legal Notice was published in the Colbert County Reporter for 4 successive weeks, as follows: June 12, 19, 26, July 3, 1969; That Colbert County Reporter is a weekly newspaper of general circulation in Colbert County, Alabama; That it is entered in the Postoffice at Tuscumbia, Alabama, 35674, as second-class mailing matter; That it has been published for 52 successive weeks prior to the publication of this legal notice.

RICHARD S. McGREW SR.

Sworn to and subscribed before me, this 10th day of July, 1969.

REBECCA G. BLANKENSHIP.

By Mr. Hardin (with notice and proof):

H. 1096. Relating to Butler County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Local Legislation No. 1.

Notice and Proof H. 1096:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BUTLER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Butler County; authorizing the county governing body and the governing body of each municipality in the county to contribute public funds for a volunteer rescue squad.

Be It Enacted by the Legislature of Alabama:

Section 1. The board of revenue, court of county commissioners or other like governing body of Butler County is hereby authorized to appropriate or expend county funds for the purpose of providing contributions for the use of any organized and established volunteer rescue squad operating within the county. After the county governing body shall have duly adopted and recorded in its minutes a resolution to make such contribution, payment shall be made from any funds in the county treasury not otherwise appropriated upon the warrant of the chairman of the county governing body.

Section 2. The governing body of any municipality in Butler County is likewise authorized to contribute municipal funds to such rescue squad when its governing body shall have duly adopted and recorded in its minutes a resolution to make such contributions. Payment shall be made from municipal funds upon the warrant signed by the mayor or other presiding officer of the municipal governing body.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BUTLER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Wm. E. Hardin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Greenville Advocate, a newspaper of general circulation published in Butler County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 5, June 12, June 19, and June 26, all in the year 1969.

W. E. HARDIN.

Sworn to and subscribed before me July 16, 1969.

PAULINE B. FULTON,
Notary Public.

By Mr. Blanton:

H. 1097. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Highway Safety.

By Messrs. Foshee and Jackson (F) (with notice and proof):

H. 1098. To alter, rearrange, extend and fix the boundaries and limits of the Town of River Falls in the State of Alabama.

Local Legislation No. 1.

Notice and Proof H. 1098:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend and fix the boundaries and limits of the Town of River Falls in the State of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the Town of River Falls in Covington County, Alabama, be and the same hereby so altered, rearranged, extended and fixed as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other contiguous territory in Covington County, Alabama; all of which territory lying and being in Covington County, Alabama, is more particularly described as follows:

All of Section 2, Less and except all land on the East side of U. S. Highway No. 84, lying South of the South line of John Grant Wright fence line in the SE¼ of SW¼ Section 2, Township 4, Range 15; All of Section 3; All of Section 4, and that portion of Section 5 lying East of Adams Creek, all in Township 4 North of Range 15 East. S½ of S½ of Section 27; All of Section 32 lying East of Adams Creek; All of Section 33; all of Section 34; All of Section 35, all in Township 5 North of Range 15 East.

Section 2. This act shall be effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 5, June 12, June 19, and June 26, all in the year 1969.

ED DANNELLY.

Sworn to and subscribed before me 14 day of July, 1969.

LORA JONES,
Notary Public.

By Messrs. McElhaney, Springer, Hobbie, Cameron and Harris:

H. 1099. To amend Act No. 240, H. 627, approved July 29, 1947, (Local Acts of 1947, p. 165) entitled, "An Act to authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a

pension or retiring allowance plan for the employees of said County but not for the elected officials", to provide for an increase in the pension or retiring allowance authorized by said Act.

Local Legislation No. 4.

By Messrs. McElhaney, Hobbie, Springer, Cameron and Harris (with notice and proof):

H. 1100: To amend Act No. 176 of the Legislature, approved September 28, 1959, (Local Acts of 1959, p. 702) and Act No. 240 of the Legislature approved, July 29, 1947, (Local Acts of 1947, p. 165) to authorize and require the Board of Revenue of Montgomery County, Alabama to provide a pension or retiring allowance plan for the employees of said County, but not for elected officials.

Local Legislation No. 4.

Notice and Proof H. 1100:

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 176 of the Legislature, approved September 28, 1959, (Local Acts of 1959, P. 702) and Act No. 240 of the Legislature approved, July 29, 1947, (Local Acts of 1947, p. 165) to authorize and require the Board of Revenue of Montgomery County, Alabama to provide a pension or retiring allowance plan for the employees of said County, but not for elected officials.

Be It Enacted by the Legislature of Alabama:

Section 1. Definitions: The following words and phrases as used in this Act, unless a different meaning is plainly required by the context, shall have the following meanings:

1. "Pension System" shall mean the pension system for County employees established by Act No. 176, approved September 28, 1959, Acts of 1959, p. 702.

2. "Pension Plan" shall mean the pension plan for County employees established by Act No. 240, H. 627, approved July 29, 1947 (Local Acts of 1947, p. 165 as amended) as said plan existed immediately prior to the operative date of Act No. 176, approved September 28, 959, Acts of 1959, p. 702 and known as the Pension System, said Pension Plan and Pension System are not repealed by this Act, but will ultimately be superseded by this Act for the eligible employees of Montgomery County.

3. "Board" shall mean the Board of Revenue of Montgomery County, Alabama.

4. (a) "Group I Employees" shall mean any regular, full time employee of Montgomery County except those employees in the Sheriff's Department, and shall not include any employee whose compensation is paid on a per diem basis.

(b) "Group II Employees" shall mean any regular, full time, Chief, Deputy Sheriff; Deputy Sheriff, Captain; Deputy Sheriff, Lieutenant; Deputy Sheriff; Deputy Sheriff, Matron; or Deputy Sheriff of whatever rate or rank that may hereinafter be provided for, also any Jail Warden, Captain; Deputy Jail Warden; Identification Officer; Jailer; Jail Steward or any other jail personnel hereinafter provided for, but nothing within this Act shall be construed to include clerical employees, clerks or clerk typists, employed in the Sheriff's Department. Clerical employees, clerks or clerk typists shall be in Group I. Nothing within this Act shall be construed to include elected officials; in all cases of doubt, the Board of Revenue shall decide who is an employee within the meaning of this Act.

5. "Member" shall mean any person included in the membership of the Retirement System as provided in Section 3 of this Act.

6. "Service" shall mean service in the employment of and paid for by the County including service in the armed forces of the United States rendered between periods of County service; and service as a temporary acting official of the County rendered during the period the regular elected officials served in the armed forces of the United States.

7. "County" shall mean the County of Montgomery, Alabama.

8. "Membership Service" shall mean service as a member for which credit is allowable as provided in Section 4.

9. "Creditable Service" shall mean membership service plus prior service.

10. "Retirement Allowance" shall mean annual payments for life, all such retirement allowances shall be payable in monthly installments beginning with the first month after the expiration of all leave with pay to which the employee is entitled under the laws, rules and regulations governing County employees and continuing through the month preceding death.

11. "Beneficiary" shall mean any person in receipt of a retirement allowance under this Act.

12. "Accumulated Contributions" shall mean the sum of all the amounts deducted from the compensation of a member.

13. "Earnable Compensation" shall mean the full rate of his annual compensation that would be payable to a member if he worked the full normal working time.

14. "Operative Date" shall mean the date the Montgomery County Employees Retirement System begins operation as provided in Section 2 of this Act.

15. "Retirement Age" shall mean the minimum retirement age at which the member becomes eligible for pension under this Act and shall be entitled to retire; the minimum retirement age for Group I Employees shall be for males, age 62, for females, age 62. The minimum retirement age for Group II Employees shall be age 55 for males and females. Clerical employees within the Sheriff's Department shall be under Group I.

16. The masculine pronoun shall include the feminine pronoun.

17. "Retirement System" shall mean the "Montgomery County Employees Retirement System" as provided for by this Act.

18. "Medical Board" shall mean the board of physicians or surgeons as provided for in Section 7 of this Act.

19. "Highest Monthly Compensation" shall mean the highest base earnable compensation of a member during any month of his or her creditable service, exclusive of any overtime pay.

20. "Acturial Equivalent" shall mean a benefit of equal value when computed at regular interest on the basis of the tables last adopted by the board.

Section 2. Date Operative: (1) The Board of Revenue shall establish a retirement system for the purpose of providing retirement allowances under the provisions of this Act for the employees of Montgomery County. The "Montgomery County Employees Retirement System" shall begin operation as of the date set by the Board of Revenue by resolution or resolutions adopted by the Board, but in no event to be later than thirty days after the passage of this Act. It shall be known as "Montgomery County Employees Retirement System" and all of its funds invested and all its cash securities or other property held in trust for the purpose for which received.

Section 3. Membership: (1) Any Montgomery County Employee as defined in Section 1, Paragraph 4, of this Act, who becomes an employee of Montgomery County after the operative date of this Act, as defined in Section 2, shall as a condition of his employment become a member of the "Montgomery County Employees Retirement System" on the date of his employment and shall begin making contributions as of that date. (2) No person under this Act shall be under the "Pension Plan" as defined in Section 1, of this Act, or the "Pension System" as defined in Section 1. (3) All Montgomery County employees under the "Pension System" as defined in Section 1 of this Act shall become members of the "Montgomery County Employees Retirement System" as of the operative date of this Act, except those employees not eligible to come under this Act. (4) Any Montgomery County employee under the "Pension Plan" as defined in Section 1, of this Act may become a member of the "Montgomery County Employees Retirement System" as defined in Section 2 of this Act and be subject to the provisions thereof if be within thirty days after the operative date of this Act, file with the Board on a form prescribed by the Board a notice of his election to be included in the membership of the system provided for by this Act. (5) Any person in the armed forces on the operative date who becomes an employee prior thereto and who on the operative date is not immediately eligible for the "Pension Plan" or "Pension System" shall become a member of the "Montgomery County Employees Retirement System" as of such date or as of the day of his return to the employment of Montgomery County.

Section 4. Service Creditable: (1) Each member of the "Montgomery County Employees Retirement System" shall receive membership service credit for all service to the County rendered under the "Pension Plan" and the "Pension System" if he elects to come under the provisions of this Act. He will receive membership service credit for service rendered under the "Retirement System" since he became a member, or since he last became a member in the event of a break in his membership. (2) The Board of Revenue shall fix and determine by appropriate rules and regulations how much service in any year is equivalent to a year of service, but in no case shall more than one year of service be creditable for all service in one calendar year, nor shall the Board of Revenue allow credit as service for any period of more than one month's duration during which the employee was absent without pay. The Board of Revenue shall verify the service claimed and shall issue service certificates certifying to each member the number of years of service with which he is credited. As long as membership continues, a certificate shall be final and conclusive for retirement purposes as to such service credit; provided, however, that any mem-

ber may within one year after the date of issuance or modification of such certificate, request the Board of Revenue to modify or correct his service certificate. (3) Creditable service at retirement on which the retirement allowance of a member shall be based, consists of his membership service credit. (4) Military Service: Anything in this Act to the contrary notwithstanding, if an employee is absent due to service in the armed forces and returns to County service within ninety days after becoming entitled to discharge or within ninety days after hospitalization continuing after discharge for a period of not more than two years, credit for such period of absence commencing prior to the operative date shall be allowed service credit as if such service had been service as an employee of the County with compensation at the employee's rate of compensation in effect immediately prior to such absence. The period of any such absence commencing on or after the operative date shall be allowed as membership service credit as if such service had been service as an employee of the County with compensation at the member's rate of compensation in effect immediately prior to such absence, provided contributions are made by the member on account of such period based upon the member's rate of compensation in effect immediately prior to such absence.

Section 5. Administration: (1) The general administration and responsibility for the proper operation of the "Montgomery County Employees Retirement System" and for making effective the provisions of this Act are hereby vested in the Board of Revenue of Montgomery County, Alabama. (2) The Board of Revenue shall have the power, right and authority from time to time to establish rules and regulations for the administration of the "Retirement System" and for the transaction of its business. (3) The Board shall keep in convenient form, such data as shall be necessary for actuarial valuation of the "Retirement System" and for checking the experience of the "Retirement System." (4) The Board shall keep a record of all its proceedings, which records shall be open to public inspection. Duties of Actuary: (5) The Board may designate an Actuary who shall be the technical advisor of the Board on matters regarding the operation of the "Retirement System" and who shall perform such other duties as one required in connection therewith. Such Actuary to serve at the pleasure of the Board, all contracts with such Actuary to be subject to this provision. (6) The Board may certify from time to time the rates of contributions payable under the provisions of this Act, as specified in Section 19 and may adopt for the "Retirement System" from time to time such mortality, service and other tables as shall be deemed necessary, and on the basis of such tables the Actuary may make annually or as otherwise directed an actuarial valuation of the assets and liabilities of the "Retirement System." The Board shall at times within its absolute discretion cause an actuarial investigation to be made into the mortality, service and compensation experience of the members and beneficiaries of the "Retirement System."

Section 6. Benefits: Any employee of Montgomery County in Group I who is eligible under this Act who shall have been in continuous service of said County for as long as twenty consecutive years and shall have attained the age of 62 years, and has made the necessary contributions for not less than two years, except as hereinafter provided in this Act or any employee who shall have been in the service of said County for an aggregate number of twenty years, the last ten years of which have been continuous and attained the age of 62 years and has made the necessary contributions for not less than two years, except as hereinafter provided in this Act, or any employee of Montgomery County in Group II who is eligible under this Act and who shall have been in continuous service of said County for as long as twenty consecutive years and shall have attained the age of 55 years, and has made the necessary contributions for not less than two years, except as herein-

after provided in this Act, or any employee who shall have been in the service of said County for an aggregate number of twenty years, the last ten years of which have been continuous and attained the age of 55 years and has made the necessary contributions for not less than two years except as hereinafter provided in this Act, shall be retired upon his or her written application setting forth at which time, not less than thirty nor more than ninety days next following the execution and filing thereof, he desires to be retired, notwithstanding that during such period of notification he may have separated form service. The Board of Revenue of said County shall order and direct the payment of such employee, monthly or otherwise as active employees are paid, during the remainder of his or her natural life, or unless otherwise directed by written request of the employee to be paid according to one of the options under this Act, a sum equal to one and one-half percent of the highest monthly compensation paid to such employee during any month of his or her employment multiplied times the number of years of completed service. Any employee of said Montgomery County who has been in continuous service as long as twenty consecutive years or who shall have been in the service of said County for as long as an aggregate of twenty years, the last ten of which were continuous, but who continues to work for the County an additional year and up to and including fifteen years before making written application for retirement or upon being retired by other means provided in this Act, shall be paid during the remainder of his or her natural life, a sum equal to his or her minimum retirement benefits as hereinbefore provided plus an additional one and one-half percent of his highest monthly compensation paid during any month of his or her employment, multiplied by the number of completed years of additional service, but in no event to exceed fifteen.

Any member in service who has attained age seventy and completed twenty years of continuous service, or any member who has attained age 70 and has an aggregate of twenty years, the last ten of which are continuous, shall be retired forthwith by the Board with benefits as provided for in this Section of this Act: provided, that upon the request of the Department Head, approved by the Board, a member who is a professional, technical, or administrative employee or who is in a supervisory capacity and who has attained age seventy may be permitted to continue in active service for a period of one year as a result of each such request. More than one such request may be made relative to a person. Notwithstanding an extension of a member's service after he has attained age seventy, such a member shall be retired by the Board with benefit provided in this Section upon his written application setting forth at what time, not less than thirty nor more than ninety days next following the execution and filing thereof he desires to be retired.

Any member in service who has attained age seventy and who is not otherwise eligible for benefits under this Act shall cease to be an employee of Montgomery County; provided, that upon the request of the Department Head, approved by the Board, a member who is a professional, technical, or administrative employee or who is in a supervisory capacity and who has attained age seventy may be permitted to continue in active service for a period of one year as a result of each such request. More than one such request may be made relative to a person.

Optional Allowances (1) Any employee of Montgomery County who is an eligible member of the "Montgomery County Employees Retirement System" as provided for by this Act, that has attained the minimum retirement age and completed the minimum service requirement for his Group, as defined in this Section of this Act, and has made the necessary contributions as required in Section 18 of this Act, or who is

otherwise eligible under other provisions of this Act to retire may upon retirement elect to receive benefits under Option I of this Section, or until the first payment on account of his retirement allowance becomes normally due, he may elect to convert the retirement allowance otherwise payable to him into a modified retirement allowance payable under Option III of this Section; provided, however, that no election of an optional benefit shall be effective until thirty days after the date of filing the election thereof with the Board, or until thirty days after retirement, whichever is the later, unless the member dies before the expiration of the said thirty days and if such member shall die during the thirty day period the Optional benefit elected shall become effective as of the date of death. (2) The benefits payable under Option II as defined in this Section of this Act shall not be payable upon retirement, but shall be payable after the member has fully complied with the requirements of Section 12, and who shall continue to be an employee, but dies prior to retirement.

Option I: Upon retirement under any of the provisions of this Act and after the selection of this Option an employee shall be entitled to receive his full benefits payable for the remainder of his natural life.

Option II: The benefits under this Option shall be paid to his designated beneficiary if a member has attained the minimum retirement age for his Group and has completed the minimum service requirement of twenty years and has fully complied with the requirements of Section 12, of this Act, and continues his employment, but subsequently dies. The benefits under this Option shall be seventy-five percent of the normal benefits a member would be entitled to receive should he have retired upon attaining the minimum retirement age and completing the minimum service requirement, said sum shall be paid to his surviving spouse for the remainder of her natural life or as long as she remains unmarried; in the event there is no surviving spouse, or on the death of the surviving spouse, or her remarriage, if there is a minor child or children surviving; then, seventy-five percent of the member's normal benefits shall be paid to any surviving minor child or jointly to any surviving minor children and shall continue until the youngest minor child reaches age eighteen.

Option III: Upon retirement under any of the provisions of this Act and after the selection of this Option a member shall be entitled to receive ninety percent of his normal benefits based on all creditable service and his highest monthly salary during any period of his employment, to be paid to the member for the remainder of his natural life. Upon the death of the member, seventy-five percent of the member's normal benefits shall continue to be paid to his surviving spouse for the remainder of her natural life, or as long as she remains unmarried; in the event there is no surviving spouse, or on the death of the surviving spouse, or her remarriage, if there is a minor child or children surviving; then seventy-five percent of the member's normal benefits shall be paid to any surviving minor child or jointly to any surviving minor children and shall continue until the youngest minor child reaches age eighteen.

Section 7. Medical Board: The Board "Retirement System" as its medical shall designate some physician or surgeon not eligible to participate in the advisor. If required, other physicians or surgeons may be employed to report on special cases coming under the disability provisions of this Act, but in no case shall more than a total of three be designated in any one case at one time. The physicians or surgeons for the Medical Board shall be selected in the following manner, one to be selected by the Board of Revenue, one to be slected by the Department Head and one to be selected by the employee. The compensation of the physicians or surgeons so selected for the Medical Board shall be paid as expenses from the retirement fund.

The Medical Board shall arrange for and pass upon all medical examinations required under the provisions of this Act, shall investigate all essential statements and certificates by or on behalf of a member in connection with application for disability retirements, and shall report in writing to the Board of Revenue its conclusions and recommendations upon all the matters referred to it.

Section 8. Non-Service Connected Disability Retirement Allowance: (1) Any employee of Montgomery County who shall have been in the service of said County for as long as ten years, the last two of which have been continuous unbroken service and has made the necessary contributions for not less than two years who shall become partially or totally and permanently disabled, physically or mentally or both and not as a result of the use of intoxicating liquor, or liquors, or narcotic drugs, or drug or willful misconduct of the disabled person or the use thereof substantially contributed to the disability or if the cause of disability not be voluntary and willfully brought about by the disabled person, may upon written request stating the facts and upon the recommendation of the Department Head and after being certified by the majority vote of the Medical Board that he is unable to perform his duties, be retired from County employment, not less than thirty nor more than ninety days next following the filing of his request (2) Upon such retirement he shall be paid so long as his disability continues, a monthly sum from the retirement fund equal to one-twentieth of the normal benefit he would have been eligible to receive had he completed the minimum service requirement, multiplied by the number of completed years. Should a member die while receiving benefits or be entitled to receive benefits as a result of a disability, then seventy-five percent of the benefits ordinarily payable to him shall be paid to his surviving spouse for the remainder of her natural life, or as long as she remains unmarried; in the event there is no surviving spouse, or on the death of the surviving spouse, or her remarriage, if there is a minor child or children surviving; then seventy-five percent of the member's benefits as provided for by this Section shall be paid to any surviving minor child or jointly to any surviving minor children and shall continue until the youngest minor child reaches age eighteen.

Section 9. Accidental Disability Retirement Allowance: (1) Upon the written request stating the facts and upon the recommendation of the Department Head, a member in service who becomes partially or totally and permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, without willful negligence on his part or as the result of the use of intoxicating liquor or liquors or narcotic drugs or drug, shall be retired by the Board of Revenue on an accidental disability retirement allowance, not less than thirty nor more than ninety days next following the filing of his request provided that he is found to be mentally or physically incapacitated for the further performance of duty and that such incapacity is likely to be permanent. The fact of such disability or incapacity shall be established by majority vote of the Medical Board and from time to time as may be required by the Board of Revenue by certificate of the Medical Board until the member has attained the minimum retirement age for his Group. (2) Upon accidental disability retirement the member shall receive each month during the time the total disability shall continue a monthly sum from the retirement fund equal to the amount of one-half of his base monthly compensation at the time of his injury or death. Provided that should the Personnel Board, if any, of such county so order, such employee may be paid his regular compensation for a period not exceeding six months, (3) If at any time the Board of Revenue finds that any disability beneficiary is engaged in or is able to engage in a gainful occupation paying more than the difference between his retirement allowance and his final monthly compensation at retirement, then

his disability allowance shall be reduced to an amount which, together with his disability allowance and the amount earnable by him, does not exceed his final monthly compensation at retirement. If his earning capacity is later changed, his disability allowance may be further modified, but in no event shall a restriction be placed upon the earnings of a disability beneficiary after he has attained the minimum retirement age for his Group. (4) No employee of Montgomery County shall be retired under the provisions of this Section until he has been examined and certified by majority vote of the Medical Board to be disabled. The Medical Board shall be selected according to Section 7 of this Act. (5) No benefits under this section shall commence to accrue until the expiration of all leave with pay to which the disabled employee is entitled under the laws, rules, and regulations governing County employees. Should a member die while receiving benefits or be entitled to receive benefits as a result of a disability, then one-half of his normal base monthly compensation at the time of his injury or death shall be paid to his surviving spouse for the remainder of her natural life, or as long as she remains unmarried; in the event there is no surviving spouse, or on the death of the surviving spouse, or her remarriage, if there is a minor child or children surviving; then one-half of his normal base monthly compensation at the time of his injury or death shall be paid to any surviving minor child or jointly to any surviving minor children and shall continue until the youngest minor child reaches age eighteen.

Section 10. Re-examination of Disabled Members: The Board of Revenue may require any member retired for disability to submit to a medical examination by the Medical Board if he has not attained the minimum retirement age for his Group. Such examination to be made at the place of residence of such beneficiary or other place mutually agreed upon. Should any such member refuse to undergo such medical examination, his allowance may be discontinued until he consents to the examination. If the Board of Revenue should in any case discontinue an allowance to any member by reason of his failure to consent to and allow such examination, the said member although otherwise entitled thereto shall wholly lose such allowance (only the allowance between the date of his refusal or failure to allow the examination and the date of examination thereafter made) thus discontinued or his failure to consent to and allow said examination. Should the Medical Board conducting such examination report to the Board of Revenue that such disability beneficiary is able to resume his usual occupation such member shall be restored to his former position if then there be such position in the service of the County, otherwise, he shall be placed upon the appropriate roster list of the County, and the Board of Revenue shall make no additional payments for disability to said member on said claim on or after the date said member shall have been reemployed by the County or shall have failed or refused to accept such reemployment and upon being so reemployed he shall immediately resume payroll contributions. Provided, however, the Board of Revenue shall in no case make additional payments to said member on said claim beyond six months from the date the Medical Board reports to the Board of Revenue that such disability beneficiary is able to resume his usual occupation.

Section 11. Disability, Status of Employment: Should a member after ten years or more of County service, become partially or totally and permanently disabled and the fact is certified by the Medical Board and such disability was not a result of his willful misconduct, and he is unable to perform his regular duties, he shall not be reduced in classification, rank or pay or be required to accept a lessor classification or pay. The employee shall be allowed to retire under the disability provisions of this Act unless he consents to accept other classification, rank or pay. If the member has less than ten years of county service and his disability is not total and not permanent, he may be reclassified and

reassigned to duty. If the member has less than ten years of service to the County and he becomes permanently and totally disabled, physically or mentally or both and is certified to the fact by the Medical Board and such disability was not a result of injury or accident sustained in line of duty he shall be retired from further service without compensation. The member's contributions shall be returned in accordance with Section 12.

Section 12. Return of Member's Contributions: (1) If a member ceases to be an employee for any reason before he becomes eligible to retire under any of the provisions of this Act, an amount equal to his accumulated contributions without interest shall be paid to him on demand within two months after his written request therefor and in addition to said amount there shall be paid an amount equal to one and one-half percent of his accumulated contributions provided he shall have made the necessary contributions for a period of not less than five years. (2) If a member dies before becoming eligible to retire under the provisions of this Act, an amount equal to his accumulated contributions without interest shall be paid to the persons, if any, nominated by him by written designation filed with the Board, if such persons survive him, otherwise to the member's estate, in addition to said amount there shall be paid an amount equal to one and one-half percent of his accumulated contributions provided he shall have made the necessary contributions for a period of not less than five years. (3) If a member ceases to be a member because of absence from service for more than five consecutive years after last becoming a member, for any reason except service in the armed forces of the United States, an amount equal to his accumulated contributions shall be paid to him within two months after the Board has been notified to that effect. (4) If a member has completed both, the minimum requirement of service and attained the minimum retirement age and continues his employment with Montgomery County, he may within thirty days after completing both, whichever is the later, file with the Board of Revenue a written request on a form provided by the Board his selection of Option II as defined in Section 6 of this Act and designate the person or persons as beneficiaries to receive benefits in the event of death before the member officially retires. Should the member die before retiring the benefits to be paid to the person or persons so designated shall be based on the monthly salary of the member as of the first day of the month next following the date of the filing of the first request naming the beneficiaries and the amount to be paid shall be according to the provisions of the Option so selected. (5) The designation of the beneficiary under Option II shall remain in full force and effect so long as the member shall continue his employment and a member shall be allowed to modify his designation at any time upon the filing of subsequent request. The last request so filed by the member shall be binding. (6) Upon the retirement of the member he shall be allowed to rescend any beneficiary designation heretofore made under Option II as defined in Section 6 of this Act and shall be allowed to select and receive benefits accordingly under one of the other options as provided in Section 6 of this Act. (7) If no option be selected and designation made by the member within the time allowed after he becomes eligible to retire and continues to work, no benefits shall be paid under Option II upon his death, the amount of his accumulated contributions without interest shall be returned according to provisions of this Section. (8) After three years from the date and time any return contribution is due an employee, no claim, suit or action may be filed or brought in any court of law or equity or otherwise for the return of such sum. (9) All sums remaining after being barred by Subsection 8 of this Section shall vest in the retirement fund.

Section 13. Reemployment after Refund: Any Montgomery County Employee as defined in Section 1, Paragraph 4, of this Act whose con-

tributions have been refunded as provided in Section 12 and who is subsequently reemployed by Montgomery County shall be treated as those persons who enter employment of the County the first time as provided in Section 3.

Section 14. Reemployment after Retirement: (1) Any person who has accepted and is receiving retirement compensation under this Act shall have such compensation suspended during any period of re-employment in any capacity whatsoever by Montgomery County. Any person receiving retirement compensation under this Act who becomes reemployed by Montgomery County shall furnish timely notice in writing to the Board of Revenue of the fact that he is prohibited from receiving retirement compensation and salary at the same time and should he fail to do so, and should he receive and retain both salary and retirement compensation, he shall forfeit all the benefits of this Act forever. (2) The reemployment by Montgomery County of any person who has accepted and is receiving retirement compensation under this Act shall have no effect on the highest monthly compensation or the aggregate number of years of service of such person, nor shall any deduction for retirement contributions be made from the salary paid such person with respect to such reemployment. (3) Upon completion of the period or periods of reemployment after retirement, the person shall be returned to the retirement roll and again be eligible to receive retirement benefits. (4) The provision of this Section shall mean reemployment by Montgomery County within any department, but will have no effect upon a retireant being employed elsewhere except those restrictions on persons retired under the disability provision of this Act in Section 9.

Section 15. Retirement Funds, Audit: The Board of Revenue shall cause a copy of a certified audit to be furnished to each employee and or pensioner by the end of each October of all funds paid into the retirement fund by each employee showing the amount that has been matched by the County, the interest thereon, all securities, bonds, obligations and or any other funds or money paid into the retirement fund and the interest received thereon and all expenditures from the retirement fund during the preceding fiscal year. The expense of this audit to be paid from the General Fund of said County.

Section 16. Retired Employees: Under the provisions of Act No. 240 of the Legislature of Alabama approved July 29, 1947 (Local Acts of 1947, page 165), certain employees of the County are now receiving retirement pay and other employees will be so entitled to receive retirement pay in the future. After this amendment is adopted by the Legislature and becomes law, such persons shall be entitled to a twenty percent (20 pct.) increase in such retirement pay.

Section 17. Social Security Benefits: All benefits paid to any person under the provision of this Act shall not be effected in any way whatsoever by any benefits paid to or received by such person at any time from Old Age and Survivors' Insurance as provided by the Federal Social Security Act.

Section 18. Method of Financing: All of the assets of the System shall be credited, according to the purpose for which they are held. (1) Retirement Fund. The Retirement Fund shall be the account in which shall be accumulated, the contributions deducted from the compensation of members. The rate of contribution to the "Montgomery County Employees Retirement System" on the part of Group I Employees shall not, unless changed by the Legislature, exceed three and one-half per centum of each member's gross earnable annual compensation. The rate of contribution to the Montgomery County Employees Retirement System" on the part of Group II Employees shall not, unless changed by the Legislature, exceed four and one-half percentum of each member's gross earnable annual compensation. (a) The Board of Revenue

shall cause to be deducted from the compensation of each member on each and every payroll for each and every payroll period, such proportion of the member's compensation. In determining the amount earnable by a member in a payroll period, the Board of Revenue may consider the rate of compensation payable to such member on the first day of a payroll period as continuing throughout the payroll period, and it may omit deduction from compensation for any period less than a full payroll period if an employee was not a member on the first day of the payroll period, and to facilitate the making of deductions it may modify the deduction required of any member by such an amount as shall not exceed one-tenth of one per centum of the compensation upon the basis of which such deduction is made. (b) The deductions provided for herein shall be made notwithstanding that the minimum compensation provided for by law for any member shall be deducted thereby. Every member shall be deemed to consent and agree to the deductions made and provided for herein and shall receipt for his full salary or compensation, and payment of salary or compensation less said deduction and less other authorized deductions shall be a full and complete discharge and acquittance of all claims and demands whatsoever for the services rendered by such person during the period covered by such payment. (c) The Clerk of the Board of Revenue shall certify the amounts deducted on each and every payroll. (d) All interest and dividends earned on the funds of the "Montgomery County Employees Retirement System" shall be credited to the Retirement Fund (e) On account of each member, there shall be paid by the Board a maximum for each payment period into the Retirement Fund, 12.91 per centum of the compensation of each member of Group I, and on account of each member, there shall be paid by the Board a maximum for each payment period into the Retirement Fund, 14.29 per centum of the compensation of each member in Group II, to be known as the "County's normal and accrued liability contribution." (f) The County contributions to the Retirement Fund shall be paid from the County departmental fund from which such particular employee derives his payment of wages or salary. Employees who have thirty-five years service at the time the "Montgomery County Employees Retirement System" becomes operative shall be exempt from making contributions into the Retirement Fund Employees who complete thirty-five years of service subsequent to the time the "Montgomery County Employees Retirement System" becomes operative shall cease to make contributions into the Retirement Fund at that time. (g) All funds now on deposit under the "Pension System" as provided for in Act. No. 176 of the 1959 Regular Session of the Legislature of Alabama and all funds now on deposit under the "Pension Plan" as provided for in Act. No. 177 of the 1959 Regular Session of the Legislature of Alabama to the credit of any employee of Montgomery County who shall come under the provisions of this act shall be transferred and credited to the employee in the Retirement Fund as created by this Section of this Act. (h) Such other funds as from time to time, may be designated by legislative act or transfer for use in the Retirement Fund.

Section 19. Expense Account: The Expense Account shall be the account to which shall be credited all money provided by the County to pay the administration expenses of the "Montgomery County Employees Retirement System," and from which shall be paid all the expenses necessary in connection with the administration and operation of the Montgomery County Employees Retirement System."

Section 20. Judicial Interpretation: Should there be any conflict between the "Pension System" and the "Pension Plan" and the "Montgomery County Employees Retirement System" caused by the provisions enumerated in this Act, the Board of Revenue may by proper resolution, reconcile such conflicts so that practicable justice can be had as near as can be, and the Board of Revenue acting judicially, is

hereby vested with full power, authority and right to make by its judicial determination, reconciliations and adjustments when caused by conflicts or inconsistencies in the herein "Montgomery County Employees Retirement System" with the provision of the "Pension Plan" or "Pension System." The Board may act judicially in its capacity as a court adjudicate and determine all controversies and issues arising under this Act, and its findings of fact and determinations of issues shall be final and conclusive.

Section 21. Management of Funds: (1) The members of the Board of Revenue shall be the trustees of all of the assets of the "Montgomery County Employees Retirement System" and shall have full power to invest and reinvest such assets. (2) All such investments or reinvestments of such assets shall be in bonds or other securities issued as direct obligations of the Government of the United States or a direct obligation of the State of Alabama or the direct obligation of any municipality or county in Alabama. (3) Such funds may be deposited in any National Bank having its home office in Montgomery, Alabama, or any similar State Bank which deposits are guaranteed by the Federal Deposit Insurance Corporation deposit laws of the United States. (4) Not over $15,000.00 shall be placed in any one such depository unless the deposit is protected by United States Bonds twice the value of such deposit to secure such deposits as trust funds.

Section 22. Limitations on Other Legislation: This Act and the provisions of this "Montgomery County Employees Retirement System" shall ultimately supersede the "Pension System" and the "Pension Plan" except as otherwise provided in this Act as to any persons becoming employed by the County on and after the operative date of the "Montgomery County Employees Retirement System" and no person becoming an employee of Montgomery County after said date shall participate in any way in such "Pension Plan" or "Pension System."

Section 23. Assignments Prohibited: (1) The property and funds of the "Montgomery County Employees Retirement System," the contributions of members deducted from their compensation, the right of a person to a retirement allowance, and any other right accrued or accruing to any person under the provisions of this Act and the moneys in the various accounts created by this Act shall not be subject to taxation by the County nor by the State of Alabama, nor be subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws or any other process of law whatsoever to satisfy any debt or liability of any member, and shall be unassignable except as in this Act specifically provided. (2) Nor shall any benefit or sum be mortgaged, pledged or alienated other than an employee entitled to any return of contributions or payments due him or her which has not been actually received may dispose of such sum or claim thereto by Last Will and Testament or the disposition of such sums shall be subject to the laws of Descent and Distribution of Alabama in existence at such time in the event of such employee leaving no valid Last Will.

Section 24. Protection Against Fraud: Whoever with intent to deceive shall make any claim, statements, representations or reports required under this Act which are untrue, or shall falsify or permit to be falsified any record or records of the "Montgomery County Employees Retirement System" shall be fined not to exceed one hundred dollars, or imprisoned in the Montgomery County Jail not to exceed six months, or both.

Section 25. Errors: Should any change or error in the records result in any member or beneficiary receiving from the "Montgomery County Employees Retirement System" more or less than he would

have been entitled to receive had the records been correct, the Board shall have the power to correct such error, and as far as practicable, to adjust the payments.

Section 26. General Conditions: (1) The Board of Revenue shall have the continuing right and power to implement this Act at any time, by promulgating reasonable rules and regulations and making reasonable interpretations and orders; and the Legislature hereby expressly reserves to itself the right and power to amend, supplement, modify, or repeal this Act at any time. (2) All provisions of any Act inconsistent with the provisions of this Act are hereby expressly repealed to the extent of such inconsistency. (3) If any section or part of any section of this Act is declared to be unconstitutional, the remainder of the Act shall not thereby be invalidated

Section 27. Date Act Effective: This Act shall take effect on and after its passage by the Legislature and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MONTGOMERY COUNTY

Before me, Kathleen F. Oswald, a Notary Public in and for the State and County aforesaid, personally appeared Betty Shine, who first being duly sworn according to law, deposes and says that she is Bookkeeper for The Advertiser Company, publishers of The Montgomery Advertiser and the Alabama Journal, and that the advertisement of Montgomery County Board of Revenue (A bill to be entitled an act) appeared in said publication April 29, May 6, 13, 20, 1969.

BETTY SHINE.

Sworn to and subscribed before me this 15th day of July, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

ADJOURNMENT

On motion of Mr. Burgess, the House adjourned at 2:25 o'clock P.M., to meet again on Tuesday, July 22, 1969, at 2 o'clock P. M.

Yeas 44; Nays 42.

Yeas:

Mr. Speaker	Crane	Holladay	Merrill
Beck	Crawford	Jackson (F)	Neville
Berryman (W)	Dill	Kilgore	Owen (Baldwin)
Blanton	Doss	Lemley	Owens (W.E.)
Brannan	Downing	Lyons	Paulk
Brassell	Drake	Malone	Perloff
Brown	Fine	Marr	Slate
Burgess	Graham	Mathews	Starnes
Burgreen	Hain	McElhaney	Steagall
Collins (C)	Harper	Meade	Stembridge
Collins (W)	Haygood	Melton	Williams

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Nays:

Messrs.:	Ellis	Lybrand	Smith
Adwell	Foshee	Manley	Snell
Agee	Garrett	Mays	Springer
Bank	Grayson	McCorquodale	Stubbs
Bassett	Hardin	Meeks	Tuck
Cameron	Harris	Nettles	Turnham
Collier	Higginbotham	Owens (W)	Waggoner
Cook (Jefferson)	Hill	Pearson	Wright
Culver	Hobbie	Pruitt	Yeilding
Dobbs	House	Robertson	Young
Edington	Jackson (T)	Sessions	

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TWENTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 22, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Donald C. Graham, Pastor of First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Adwell	Doss	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Edington	Laxson	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lybrand	Sessions
Blanton	Foshee	Lyons	Shumate
Bolton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mathews	Springer
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McDonald	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Cherner	Harper	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Haygood	Meeks	Waggoner
Collins (W)	Headley	Melton	Watkins
Cook (Coffee)	Higginbotham	Merrill	Weeks
Cook (Jefferson)	Hill	Money	Williams
Crane	Hobbie	Netties	Wood
Crawford	Holladay	Neville	Wright
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twentieth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

MOTION TO SUSPEND THE RULES LOST

The motion of Mr. Merrill to suspend the rules in order to dispense with the reading at length of the Journal of the House for the twentieth legislative day was lost.

Yeas 56, Nays 21.

Yeas:

Mr. Speaker	Ellis	Laxson	Pearson
Agee	Fine	Lemley	Perloff
Bassett	Foshee	Lyons	Shumate
Beck	Graham	Manley	Smith
Bolton	Grainger	Marr	Snell
Brannan	Hardin	McCorquodale	Starnes
Brassell	Harper	McElhaney	Steagall
Brown	Harris	McLain	Stubbs
Collier	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Watkins
Dill	Hill	Money	Williams
Dobbs	Hobbie	Neville	Wood
Doss	Jackson (F)	Owen (Baldwin)	Wright
Downing	Jones	Owens (W)	Young

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Nays:

Messrs.:	Crawford	Kilgore	Paulk
Blanton	Edington	Lybrand	Sessions
Bowers	Garrett	Malone	Stembridge
Cherner	Gloor	Mays	Turnham
Collins (C)	Grayson	Nettles	Yeilding
Crane	Jackson (T)		

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READING OF JOURNAL

The Speaker directed the Clerk to read the Journal of the House for the twentieth legislative day, and the reading commenced.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs.: Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lolley, McCarley, McDermott, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca:

S. J. R. 48. WHEREAS Mrs. Mary L. Lindsey, the mother of our esteemed and well beloved colleague, Senator W. H. "Pat" Lindsey, died tragically in a fire at her home on July 17, 1969; and

WHEREAS this body extends its deepest and most heartfelt sympathy to Senator Lindsey, his father, W. H. Lindsey, Jr. and his sister, Mrs. Kay Lindsey Kimbrough, in this sudden and tragic bereavement; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the untimely death of Mrs. Lindsey and express our hope that needless deaths and injuries such as she suffered may be averted in the future.

BE IT FURTHER RESOLVED that copies of this resolution be sent to W. H. Lindsey, Jr., to Senator W. H. Lindsey, III, and Mrs. Kay Lindsey Kimbrough, a daughter, Mobile, Ala.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the rules were suspended and the House concurred in and adopted the S. J. R. 48 set out in the above and foregoing Message from the Senate.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Paulk
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Pruitt
Blanton	Garrett	Malone	Shumate
Bolton	Gloor	Manley	Slate
Bowers	Graham	Marr	Snell
Brannan	Grayson	Mathews	Springer
Brassell	Hain	Mays	Steagall
Brown	Hardin	McCorquodale	Stubbs
Burgess	Harper	McElhaney	Tuck
Cameron	Harris	McLain	Turnham
Cherner	Haygood	Meeks	Waggoner
Collier	Headley	Melton	Watkins
Collins (W)	Higginbotham	Merrill	Weeks
Crane	Hobbie	Money	Williams
Culver	Holman	Nettles	Wood
Dill	Jackson (F)	Neville	Wright
Dobbs	Jackson (T)	Owens (W)	Young
Doss	Kilgore		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 236. Relating to Highways; to control and regulate the erection and maintenance of outdoor advertising devices or signs on lands adjacent to the Federal-Aid Primary System and the National System of Interstate and Defense Highways in Alabama; to provide compensation for removal or relocation of advertising devices; to define terms; to provide for violations and penalties; to provide how this Act may be cited; and to provide a severability clause.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 514. To provide for organizing industrial development corporations; provide for definitions; provide the purpose of such corporations; provide that such corporations may be organized under the general laws of Alabama, subject to certain limitations; provide that such corporations may borrow money from members and issue securities and evidences of indebtedness and secure same; provide said corporations may make loans, may acquire the good will, business and assets of persons, firms, and corporations and may acquire real estate and use the same for the purposes of the corporation; provide that corporations organized under the laws of Alabama or transacting business in Alabama are authorized to purchase, hold, and dispose of the securities of industrial development corporations; provide that financial institutions are authorized to become members and make loans to such corporations, subject to certain limitations; provide that financial institutions are authorized to acquire the securities and stock of such corporations; provide such corporations shall set aside a portion of earned surplus from year to year as a reserve fund; provide for selecting depositories for funds of such corporations; provide such corporations shall be subject to examination by a certified public accountant and shall file reports with the Secretary of State; provide for the management of such corporations by a board of directors, a president and officers; provide for the dissolution of such corporations; provide that such corporations shall be state development companies as defined in the Small Business Act, of 1958; provide for the payment of annual occupational license tax; provide an effective date.

Also:

H. 90. To amend Act No. 863, H. 1061, Regular Session 1965 (Acts 1965, p. 1605), an act to create the Alabama Space Science Exhibit Commission; amending Section 3 of such act so as to exempt certain employees of the Commission from the provisions of the state merit system act, to provide that such employees shall not be eligible to participate in the state's health insurance plan and benefits for state employees or in the state employees' retirement system; and amending Section 8 of such act so as to define further the duties, powers and authority of the commission, specifically with reference to programs for promoting and advertising the exhibits and facilities provided by this act, to purchasing by the commission and to the operation of concessions on the grounds and facilities operated by the commission.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 599. To amend Section 1 of Act No. 528 of the 1959 Regular Session of the Legislature of Alabama (General Acts of Alabama of 1959, p. 1302-1304), providing for the appointment of a zoning board of adjustment in any city having a population of three hundred thousand inhabitants or more according to the last or any subsequent federal census.

Also:

H. 600. To amend Section 9 of Act No. 414 of the Legislature of Alabama of 1949 (General Acts of 1947, p. 304 et seq.) which fixes, levies and requires the payment of a license tax on cigarettes and tobacco products in counties having a population of 400,000 or more according to the last or any subsequent Federal Census.

Also:

H. 601. To amend Section 10 of Act No. 662 of the Legislature of Alabama of 1951 (General Acts of 1951, p. 1132 et seq.) which fixes, levies and requires the payment of a license tax upon the sale, distribution, delivery, storage or taking out of storage of beer, lager beer, ale, porter, near beer or similar fermented malt liquor in any county having a population of 400,000 or more according to the last or any subsequent Federal Census.

Also:

H. 678. Proposing a further amendment to Constitutional Amendment CLXXV adopted December 18, 1961 relating to special district taxes for furtherance of education in Jefferson County.

Also:

H. 680. To amend Section 68 of Title 52 of the 1940 Code of Alabama relating to compensation of members of the County Board of Education and to fix the compensation of members of the County Board of Education in all counties having a population of 600,000 persons or more according to the last or any succeeding federal census.

Also:

H. 809. Regulating further nighttime hunting in certain counties of the state classified on a population basis; providing for the taking, catching or killing of raccoons and o'possums during nighttime hours, but only under certain conditions and with a certain kind of gun and ammunition in such counties, when authorzied by a rule of the director of conservation; and providing penalties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabitants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Five Thousand One Hundred and No/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 699. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the Law and Equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Also:

H. 698. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Also:

H. 465. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 682 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the county which authorized the organization of such public corporation and any municipality therein, whereunder the obligations of each may be joint or several, or with such county or any such municipality separately, or with any department or agency of either, or with the State of Alabama, or any department or agency thereof, for a maximum period of 20 years.

Also:

H. 467. To provide a comprehensive system of law applicable to any county in this state having a population of 500,000 or more according to the last or any subsequent federal census, defining the powers of any such county to construct improvements consisting of sanitary sewers and sewer facilities with respect to subdivisions located outside the corporate limits of any municipality in such counties; to provide a method for the assessment of the cost of any such improvement against the property abutting on, or drained, served, or benefited by such improvement; to require the adoption of a resolution describing the improvement and the property abutting on, or the area to be drained, served or benefited by such improvement; to require the filing of plans and specifications for such improvement; to provide for publication and mailing of notice of the adoption of the said resolution; to provide for a public hearing on such improvement; to provide for payment of the cost of the improvement; to provide for public advertisement for bids for the construction of the improvement unless the county shall perform the work or provide materials from its own resources; to provide for supervision of the work; to provide for the levy of betterment taxes and assessments on the property benefited by any improvement; to provide for the preparation of a list of owners and parcels to be assessed, and publication of notice of such list; to provide for any defects or errors therein; to provide for a hearing on the proposed assessments and making the same final; to provide for the establishment of a lien on the property subject to the assessments and for the priority thereof; to provide for the reduction or abatement of certain assessments; to authorize the transfer and assignment of such liens, and for the enforcement thereof; to specify other provisions with respect to such liens; to provide a system for appeals from the making of such final assessment; to provide a system for payment of all such assessments and for default in such payments; to authorize lands subject to such liens to be sold in satisfaction thereof and a system for the redemption of such lands after any such sale; to establish a procedure for the termination of any right of redemption; to provide a system for the issuance of notes or bonds to finance any such improvements; to exempt any securities issued hereunder from Chapter 6 of Title 12 of the Code of Alabama of 1940, as heretofore or hereafter amended; to specify requirements with respect to any such notes or bonds; to require public sale thereof with certain exceptions; to provide for the refunding thereof under specified circumstances; to provide that any such bond shall be incontestable after a specified period; to provide that all such bonds and notes and the interest thereon shall be exempt from taxation; to provide for the replacement of lost, destroyed or mutilated bonds and for the refunding of outstanding bonds; to establish sinking fund accounts for the payment of bonds and for the grouping of improvements for a single bond issue; to specify the use of funds received from the said assessments and to establish liability on official bonds for the handling of such funds; to provide for a refund of excess collections in certain circumstances; to grant to any such county the right of eminent domain with respect to improvements; to provide for the effect of annexation or incorporation of an area in which assessments have been made; to provide for the severability of the provisions of this act and for the repeal of inconsistent laws; and to establish the effective date of this act.

Also:

H. 468. To authorize any county having a population of 600,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with any municipality in any such county, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of

twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Department of Pensions and Security or any successor to both or either of them in carrying on any program for public welfare assistance.

Also:

H. 469. To authorize any public building corporation heretofore or hereafter organized pursuant to the provisions of Act No. 493 enacted at the 1955 Regular Session of the Legislature of Alabama, as heretofore or hereafter amended, in any municipality having a population of 300,000 or more according to the last or any subsequent federal decennial census, to enter into a contract or lease agreement with the municipality which authorized the organization of such public corporation and the county in which such municipality is located, whereunder the obligations of each may be joint or several, or with such municipality or such county separately, or with any department or agency of either, or with the State of Alabama or any department or agency thereof, for a maximum period of 20 years.

Also:

H. 470. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, to become a party to a contract or lease agreement, solely on its own behalf, or jointly with the county within which such municipality is located, whereunder the liability of each may be joint or several, and whereunder the lessor is a public building authority, for a maximum period of twenty (20) years, to provide office space or to pay the expenses of providing office space for the State or County Departments of Pensions and Security or any successor to both or either of them in carrying on any program of public welfare assistance.

Also:

H. 472. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) as amended, entitled "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 476. To amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), as amended, entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system".

McDOWELL LEE,
Secretary.

LEAVE OF ABSENCE

On motion of Mr. Collier, unanimous consent was granted for him to have leave of absence on July 23, 24, and 25, 1969, due to business.

RECESS

On motion of Mr. Merrill, the House recessed until 2:30 o'clock P. M. for a joint session.

JOINT SESSION

The Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives for the purpose of heading an address by Mr. Lewis E. McCray, national Vice Commander of the American Legion.

HOUSE RECONVENED

The House reconvened at 2:55 o'clock P. M. The Speaker called the House to order.

MOTION TO DISPENSE WITH READING OF JOURNAL

On motion of Mr. Robertson, the rules were suspended, the reading of the Journal for the twentieth legislative day was dispensed with, and the Rules Committee report adopted approving the Journal.

Yeas 42; Nays 10.

Yeas:

Mr. Speaker	Fine	Lyons	Shumate	
Agee	Foshee	Mays	Snell	
Bank	Graham	McCorquodale	Steagall	
Bassett	Hardin	McElhaney	Stembridge	
Brannan	Harper	Melton	Stubbs	
Brown	Harris	Money	Tuck	
Cameron	Headley	Owen (Baldwin)	Williams	
Collier	Hill	Owens (W)	Wood	
Cook (Coffee)	Hobbie	Pearson	Wright	
Dobbs	Jackson (F)	Robertson	Young	
Downing	Lemley			—42

Nays:

Messrs.:	Higginbotham	Laxson	Nettles	
Collins (C)	Jackson (T)	Lybrand	Paulk	
Garrett	Kilgore	Mathews		—10

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 86. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Twenty-first Legislative Day, taking precedence over any other business in the House on this day:

Uncontested Local Bills

HB 109, Page 8
HB 778, Page 68
HB 779, Page 68
HB 889, Page 108
HB 861, Page 105
HB 862, Page 105
HB 23, Page 14
HB 168, Page 19
HB 342, Page 2
SB 126, Page 79
HB 1004, Page 110
HB 525, Page 51
HB 119, Page 35
HB 717, Page 106
SB 238, Page 111
HB 803, Page 88
HB 414, Page 44
HB 108, Page 1
HB 351, Page 50
HB 347, Page 59
HB 89, Page 13
HB 515, Page 55
HB 516, Page 55
HB 517, Page 89
HB 318, Page 94
HB 649, Page 102
HB 765, Page 61
SB 212, Page 117
HB 74, Page 2
HB 418, Page 45
HB 349, Page 8
HB 320, Page 58
HB 361, Page 17
HB 733, Page 88
HB 735, Page 63
HB 21, Page 17

HB 369, Page 80
HB 270, Page 31
HB 533, Page 64
HB 870, Page 81
HB 298, Page 9
HB 299, Page 9
HB 300, Page 10
HB 749, Page 65
HB 588, Page 28
HB 201, Page 27
HB 422, Page 37
HB 424, Page 37
HB 194, Page 119
HB 478, Page 31
HB 490, Page 30
HB 492, Page 30
HB 493, Page 30
HB 106, Page 49
HB 513, Page 82
HB 269, Page 78
HB 638, Page 70
HB 637, Page 70
HB 636, Page 73
HB 464, Page 32
HB 745, Page 73
HB 880, Page 105
HB 148, Page 56
HB 986, Page 119
SB 218, Page 102
HB 339, Page 11
HB 334, Page 33
HB 336, Page 33
HB 534, Page 26
HB 293, Page 12
HB 400, Page 99
HB 79, Page 33
HB 458, Page 27

HB 633, Page 28
HB 764, Page 57
HB 18, Page 3
SB 267, Page 99
SB 266, Page 120
SB 268, Page 108

On motion of Mr. Merrill, H. R. 86 was adopted.

MOTION TO RECONSIDER H. 70 GRANTED

On motion of Mr. Tuck, having voted with the prevailing side, permission was granted to reconsider the vote by which the bill, H. 70, was lost.

And the bill:

H. 70. To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

Was taken up.

MOTION TO CARRY OVER GRANTED

On motion of Mr. Tuck, the bill, H. 70, was carried over to the twenty-second legislative day.

BILLS ON THIRD READING

And the bill:

S. 214. To withdraw and take away all authority, power, and duties of constables relative to criminal and quasi-criminal matters in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; repealing conflicting laws.

Was taken up.

MOTION TO INDEFINITELY POSTPONE GRANTED

On motion of Mr. Stubbs, the bill, S. 214, was indefinitely postponed.

And the bill:

S. 216. To create the office of warrant clerk in all counties having populations of not less than 31,500 nor more than 32,200 according to the most recent federal decennial census; to provide for his appointment, tenure, duties and compensation; and to repeal conflicting laws.

Was taken up.

MOTION TO INDEFINITELY POSTPONE GRANTED

On motion of Mr. Stubbs, the bill, S. 216, was indefinitely postponed.

And the bill:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owen (Baldwin)
Agee	Drake	Kilgore	Owens (W)
Bank	Edington	Laxson	Paulk
Bassett	Ellis	Lemley	Pearson
Beck	Fine	Lybrand	Perloff
Berryman (W)	Foshee	Lyons	Pruitt
Brannan	Gafford	Malone	Robertson
Brassell	Garrett	Manley	Slate
Brown	Gloor	Marr	Snell
Burgess	Graham	Mathews	Steagall
Cherner	Grayson	Mays	Stembridge
Collier	Hain	McCorquodale	Stubbs
Collins (C)	Hardin	McElhaney	Tuck
Collins (W)	Harper	McLain	Turnham
Cook (Coffee)	Harris	Meade	Waggoner
Cook (Jefferson)	Headley	Meeks	Weeks
Crawford	Higginbotham	Melton	Williams
Culver	Hobbie	Merrill	Wood
Dill	Holman	Money	Wright
Dobbs	Jackson (F)	Nettles	Young
Doss			

—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the House amendment to the Bill:

S. 182. To provide for and regulate the payment of expenses of state officers and employees and persons traveling on official business for the State or any of its departments, institutions, boards, bureaus, commissions, councils, committees, and other like agencies.

And said Bill, S.B. 182, as thus amended by the Conference Report, was again read a third time at length and passed.

And said Bill, S.B. 182, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

REPORT OF COMMITTEE OF CONFERENCE ON S. B. 182

We, your committee of conference appointed to reconcile the disagreement between the two Houses concerning S. B. 182, have met and considered the bill and the House amendment thereto and have agreed to the following report:

1. We recommend that the Senate accept the House amendment.

2. We further recommend that the following amendments be adopted:

In Section 1, at the end thereof, add the following: ; nor shall the provisions of this section apply to examiners or other persons designated by the Superintendent of Insurance to examine or cause to be examined the domestic insurance corporations qualified in this state when

the expense incurred by such persons shall be paid by or collected or received from such corporations examined under the provision of Title 28, Section 54(1).

Delete paragraph 2 of Section 1 and insert in lieu thereof the following:

No travel allowance shall be paid for a trip of less than six hours' duration. For travel which does not require an overnight stay, the traveler shall be paid a meal allowance of two dollars and seventy-five cents for a trip of from six to twelve hours' duration and for travel in excess of twelve hours duration the traveler shall be paid one such meal allowance and one-fourth of the per diem allowance.

Also, in Section 4 of S. B. 182 delete from the bill the repealer reference to Title 28, Section 47(8) and (9).

3. We recommend further that the bill as thus amended be passed by both Houses.

Respectfully submitted,

Conferees on the part of the Senate
J. J. Pierce
Jack Giles
Alton L. Turner

Conferees on the part of the House
James W. Cameron
Hugh D. Merrill
Curtis Springer

MOTION TO NON-CONCUR ADOPTED ON S. 182

On motion of Mr. Merrill, the House non-concurred in the Conference Committee Report on the bill, S. 182, and a new conference committee granted.

Yeas 85; Nay 1.

Yeas:

Mr. Speaker	Edington	Kilgore	Pruitt
Agee	Ellis	Laxson	Robertson
Bank	Fine	Lemley	Sessions
Bassett	Foshee	Lybrand	Shumate
Beck	Gafford	Lyons	Slate
Berryman (W)	Garrett	Malone	Smith
Blanton	Gloor	Manley	Snell
Bolton	Graham	Marr	Starnes
Brannan	Grayson	Mathews	Steagall
Brassell	Hain	Mays	Stembridge
Burgess	Hardin	McCorquodale	Stubbs
Cherner	Harper	McLain	Tuck
Collier	Harris	Meeks	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hobbie	Nettles	Williams
Culver	Holladay	Owen (Baldwin)	Wood
Dill	Holman	Owens (W)	Wright
Dobbs	Jackson (F)	Paulk	Yeilding
Doss	Jackson (T)	Pearson	Young
Downing			—85

Nay: Mr. Perloff. —1

CONFERENCE COMMITTEE APPOINTED

The Speaker named as a Committee of Conference on the part of the House Messrs. Cameron, Merrill and Springer.

BILLS ON THIRD READING RESUMED

And the bill:

H. 251. An act relating to the municipality of the City of Fort Payne, in DeKalb County; to alter, re-arrange and extend the boundaries of the City of Fort Payne.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Paulk
Agee	Downing	Jackson (F)	Pearson
Bank	Edington	Jackson (T)	Perloff
Bassett	Ellis	Kilgore	Pruitt
Beck	Fine	Laxson	Robertson
Berryman (W)	Foshee	Lemley	Sessions
Blanton	Gafford	Lybrand	Shumate
Bolton	Garrett	Lyons	Slate
Bowers	Gloor	Malone	Smith
Brannan	Graham	Manley	Snell
Brassell	Grayson	Marr	Starnes
Brown	Hain	Mathews	Steagall
Burgess	Hardin	Mays	Stembridge
Cherner	Harper	McElhaney	Stubbs
Collier	Harris	McLain	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Higginbotham	Merrill	Watkins
Crawford	Hill	Money	Williams
Culver	Hobbie	Nettles	Wood
Dill	Holladay	Owen (Baldwin)	Wright
Dobbs	Holman	Owens (W)	Young

—88

And the bill:

H. 980. Relating to DeKalb County; providing for nomination and election at large of members of the county commission, repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Bowers	Crawford	Fine
Agee	Brannan	Culver	Foshee
Bank	Brassell	Dill	Gafford
Bassett	Burgess	Dobbs	Garrett
Beck	Cherner	Doss	Gloor
Berryman (W)	Collier	Downing	Graham
Blanton	Collins (W)	Edington	Grayson
Bolton	Cook (Coffee)	Ellis	Hain

Hardin	Kilgore	Merrill	Smith
Harper	Laxson	Money	Snell
Harris	Lemley	Nettles	Starnes
Haygood	Lybrand	Owen (Baldwin)	Steagall
Headley	Lyons	Owens (W)	Stubbs
Higginbotham	Malone	Paulk	Tuck
Hill	Manley	Pearson	Turnham
Hobbie	Marr	Perloff	Waggoner
Holladay	Mathews	Pruitt	Watkins
Holman	Mays	Robertson	Williams
House	McElhaney	Sessions	Wood
Jackson (F)	Meade	Shumate	Young
Jackson (T)	Meeks	Slate	

—83

And the bill:

H. 1039. To provide that any city of this State having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census shall be entitled to be reimbursed for all hospital bills, doctor's bills, medical expenses, employee salary while absent from duty, and other expenditures made by such city or agency as a result of an injury to an employee of such city or agency while in the actual performance of his duties as such employee, proximately caused by the negligence of a third person, to such employee of such city or agency thereof by the person, firm or corporation guilty of or liable for such negligence or to whom such negligence may be imputed; to provide for the enforcement of such right to reimbursement.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Perloff
Bank	Edington	Lybrand	Pruitt
Bassett	Ellis	Lyons	Robertson
Beck	Fine	Malone	Sessions
Berryman (W)	Foshee	Manley	Shumate
Blanton	Gafford	Marr	Smith
Bolton	Gloor	Mathews	Snell
Bowers	Graham	Mays	Springer
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McDonald	Steagall
Burgess	Hardin	McElhaney	Stembridge
Cherner	Harper	McLain	Tuck
Collier	Haygood	Meade	Turnham
Collins (C)	Headley	Meeks	Waggoner
Collins (W)	Higginbotham	Melton	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Crane	Holman	Money	Wood
Crawford	House	Nettles	Wright
Culver	Jackson (F)	Owen (Baldwin)	Yeilding
Dill	Jackson (T)	Owens (W)	Young
Dobbs			

—89

And the bill:

H. 959. Relating to the Geneva County Inferior Court; to provide further for the civil jurisdiction of said court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Adwell	Edington	Laxson	Perloff
Agee	Ellis	Lemley	Pruitt
Bank	Fine	Lybrand	Sessions
Bassett	Foshee	Lyons	Shumate
Beck	Gafford	Malone	Smith
Berryman (W)	Garrett	Manley	Snell
Bolton	Gloor	Marr	Springer
Bowers	Graham	Mathews	Starnes
Brannan	Grayson	Mays	Steagall
Brassell	Hain	McCorquodale	Stembridge
Brown	Hardin	McDonald	Tuck
Collier	Harper	McElhaney	Turnham
Collins (C)	Haygood	Meade	Waggoner
Collins (W)	Headley	Melton	Weeks
Cook (Coffee)	Higginbotham	Merrill	Williams
Crawford	Hobbie	Money	Wood
Culver	Holman	Nettles	Wright
Dill	House	Owen (Baldwin)	Yeilding
Dobbs	Jackson (F)	Owens (W)	Young
Downing	Jackson (T)		

—82

And the bill:

H. 960. To amend Act No. 151, H. 190, Special Session 1962 (Acts 1962, Special Session, p. 195) so as to increase the compensation of the judge of the Inferior Court of Geneva County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Messrs.:	Drake	Kilgore	Pearson
Adwell	Edington	Laxson	Perloff
Agee	Ellis	Lemley	Pruitt
Bank	Fine	Lybrand	Robertson
Bassett	Foshee	Lyons	Sessions
Beck	Gafford	Malone	Shumate
Berryman (W)	Garrett	Manley	Smith
Bolton	Gloor	Marr	Snell
Brannan	Graham	Mathews	Springer
Brassell	Grayson	Mays	Starnes
Brown	Hain	McCorquodale	Steagall
Cherner	Hardin	McDonald	Stembridge
Collier	Harper	McElhaney	Tuck
Collins (C)	Haygood	Meeks	Turnham
Collins (W)	Headley	Melton	Waggoner
Cook (Coffee)	Higginbotham	Merrill	Weeks
Crawford	Hobbie	Money	Williams
Culver	Holman	Nettles	Wood
Dill	House	Owen (Baldwin)	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding
Downing	Jackson (T)	Paulk	Young

—83

And the bill:

H. 1003. To alter, rearrange and extend the boundary lines and corporate limits of the city of Piedmont in Calhoun County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Downing	Jackson (T)	Pearson
Adwell	Drake	Kilgore	Perloff
Agee	Edington	Laxson	Pruitt
Bank	Ellis	Lemley	Robertson
Bassett	Fine	Lybrand	Shumate
Beck	Foshee	Lyons	Snell
Berryman (W)	Gafford	Manley	Springer
Bolton	Garrett	Marr	Starnes
Brassell	Gloor	Mathews	Steagall
Brown	Graham	Mays	Stembridge
Cherner	Grayson	McCorquodale	Tuck
Collier	Hain	McDonald	Turnham
Collins (C)	Hardin	McElhaney	Waggoner
Collins (W)	Harper	Meeks	Weeks
Cook (Coffee)	Haygood	Melton	Williams
Cook (Jefferson)	Headley	Merrill	Wood
Crawford	Higginbotham	Money	Wright
Culver	Hobbie	Nettles	Yeilding
Dill	House	Owens (W)	Young
Dobbs	Jackson (F)	Paulk	—78

And the bill:

H. 1011 (with amendment). Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 7 add at the end thereof and as a part of such section the following:

The City of Troy shall not, however, establish, purchase, construct, maintain, or operate a television cable system or furnish television cable services to residents of the city and surrounding territory, unless the question of the city's engaging in such business shall have first been submitted to and approved by the qualified electors of the city at a referendum held for the purpose of submitting such question. Such election shall be called, held, conducted and the result thereof canvassed and proclaimed as nearly as is feasible in the manner prescribed by

law for submitting the question of reducing the corporate limits of a city, except that the resolution ordering the election need not be filed with the judge of probate and the election shall be ordered and notice thereof given by the mayor of Troy. If the result of the referendum is against the city's engaging in such business the question shall not be again submitted within six months thereafter; but the fact that the proposal has been rejected shall not preclude the submission of the question again after the expiration of six months from the date on which such proposal was last rejected by the voters.

And the amendment was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Lyons	Perloff
Agee	Ellis	Malone	Pruitt
Bank	Fine	Manley	Robertson
Bassett	Foshee	Marr	Sessions
Beck	Gafford	Mathews	Smith
Berryman (W)	Garrett	Mays	Snell
Bolton	Gloor	McCorquodale	Starnes
Bowers	Graham	McLain	Steagall
Brannan	Hain	Meeks	Stembridge
Brassell	Hardin	Melton	Stubbs
Brown	Harper	Merrill	Tuck
Burgess	Higginbotham	Money	Turnham
Cherner	Hobbie	Nettles	Waggoner
Collier	Holman	Neville	Weeks
Collins (C)	Jackson (F)	Owen (Baldwin)	Williams
Collins (W)	Jackson (T)	Owens (W)	Wood
Cook (Coffee)	Kilgore	Paulk	Wright
Crawford	Laxson	Pearson	Yeilding
Dill	Lemley	Pennington	Young

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And said bill, H. 1011, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Messrs.:	Dill	Lybrand	Pennington
Agee	Downing	Lyons	Perloff
Bank	Ellis	Malone	Pruitt
Bassett	Fine	Manley	Robertson
Beck	Foshee	Marr	Snell
Berryman (W)	Gafford	Mathews	Springer
Bolton	Garrett	Mays	Starnes
Bowers	Graham	McCorquodale	Steagall
Brannan	Hain	McElhaney	Stembridge
Brassell	Hardin	Meeks	Stubbs
Brown	Harper	Melton	Tuck
Burgess	Higginbotham	Merrill	Turnham
Cherner	Hobbie	Money	Waggoner
Collier	Holladay	Nettles	Weeks
Collins (C)	Holman	Neville	Williams
Collins (W)	Jackson (F)	Owen (Baldwin)	Wright
Cook (Coffee)	Jackson (T)	Owens (W)	Yeilding
Crawford	Kilgore	Pearson	Young
Culver	Lemley		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 130. To make further provisions respecting distribution to municipalities, under Act No. 224 adopted at the 1967 Special Session of the Legislature of Alabama, of that portion allocated to municipalities under the said Act No. 224 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Sections 5 and 7 of the said Act No. 224, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities under Section 5 of the said Act No. 224 that have not yet been distributed to the said municipalities.

Also:

S. 211. To amend further Section 1, Act No. 11, S. 59, Regular Session 1959, as amended, an act fixing the compensation of certain officers of Dallas County.

Also:

S. 442. Relating to counties having a population of not less than 16,500 nor more than 17,500; providing for direct distribution to municipalities of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Also:

S. 445. To amend paragraphs (1) and (3) of subsection C of Section 279 and Sections 289, 293 and 299, all being of Title 26, Code of Alabama 1940, as last amended, pertaining to the Workmen's Compensation Law.

Also:

S. 446. To amend Sections 202, 203, Paragraph 1 of Subsection A, and Paragraphs 3 and 4 of Subsection B, and Subsection F, and Subsection G and Subsection H, (all said paragraphs and subsections being in Section 204,) Section 207, Paragraph 1 of Subsection D and Paragraph 1 of Subsection L of Section 214, Title 26, Code of Alabama 1940, as amended, all relating to unemployment compensation.

Also:

S. 452. Relating to counties having a population of not less than 32,200 nor more than 35,000 inhabitants, according to the last or any subsequent federal decennial census; prohibiting the sale of alcoholic beverages in certain places in such counties; providing that the Act shall not be construed as authorizing or legalizing the sale of alcoholic beverages at any other places in any such county in which a majority of the qualified electors of the county voting at a referendum held for that purpose have voted that the county shall be a dry county; prescribing penalties for violations of the Act.

Also:

S. 225. Relating to the destruction of public records; authorizing the state treasurer to destroy certain cancelled state warrants and the journals pertaining to such warrants; and repealing Act No. 589, H. 141, of the Regular Session of 1957 (Acts of 1957, p. 826) and all other conflicting laws.

Also:

S. 226. To amend Code of Alabama 1940, Title 55, Section 223, which relates to the records of the state treasurer relative to cancelled coupons on coupon bonds issued by the State so as to require and regulate the making and auditing of certain records relative to coupon bonds and the destruction of certain cancelled bonds.

Also:

S. 227. To provide a method for indication of the Governor's approval of vouchers or accounts payable by the State Comptroller, which require the Governor's approval, by method of certification of the department director or executive officer requesting payment.

Also:

S. 228. To authorize all departments and agencies of the State of Alabama to execute and enter into lease sale contracts for the procurement of materials, machinery and other equipment; to require that such contracts be subject to and comply with the provisions of Chapter 4, Title 55 and Chapter 21, Title 55, Code of Alabama 1940 (Recompiled 1958).

Also:

S. 239. To regulate the execution of certain public contracts for the sale of state-owned tangible personal property or standing timber by competitive bid; to provide for disposition of proceeds from such sales; and prescribe penalties.

Also:

S. 244. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the town of Hartford in Geneva County.

Also:

S. 54. To make an appropriation to Auburn University for operation and maintenance of the school at Montgomery.

Also:

S. 128. Making an appropriation from the state treasury for the relief of G. W. Hardwick of Enterprise, Alabama.

Also:

S. 176. To provide for compliance with provisions of Article 3 of Title 47 of the Code of Alabama of 1940 requiring entry of partial payments of indebtedness secured by mortgage or other encumbrance on the margin of the record by the furnishing of a separate written instrument.

Also:

S. 492. To create offices of Deputy District Attorney No. 1, Deputy District Attorney No. 2, and Deputy District Attorney No. 3 of the Sixth Judicial Circuit and provide for the appointment, duties and compensation of such offices.

Also:

S. 512. To amend Section 5 of Act No. 77, H. 325, Regular Session 1947 (Local Acts 1947, p. 55) as amended, an act to create the office of county solicitor of Autauga County, so as to provide an expense allowance for the county solicitor.

Also:

S. 240. To provide for the voiding of state warrants outstanding at the close of the fiscal year next following the fiscal year in which they were issued, and for the barring of the claims based thereon.

Also:

S. 249. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding $4,000,000 principal amount of bonds in addition to those heretofore authorized; provide that the proceeds of said bonds shall be used for the payment of expenses of issuing said additional bonds, and for the payment of the costs of the work required of the Alabama State Docks as the local sponsoring agency for the improvement in Mobile Harbor, Alabama, known as the Theodore Ship Channel project or for the construction, dredging of approaches thereto, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding $2,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Also:

S. 510. To amend Section 1 of Act No. 21 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Also:

S. 511. To amend Section 1 of Act No. 37 adopted at the Extraordinary Session of 1969 of the Legislature of Alabama so as to change the definition of "Utility" as said definition appears in said Section 1.

Also:

S. 20. To amend section 5 of Act No. 755, Regular Session 1967 (Acts 1967 p. 1609) which act provides for supernumerary tax collectors, tax assessors or other elected officials charged with assessment and/or collection of ad valorem taxes in various counties, to allow persons eligible for those positions to be appointed whether or not they are eligible for retirement under another retirement plan.

Also:

S. 329. To repeal Act No. 329, H. 714, approved July 1, 1943, as amended, an act relating to construction of farm to market roads (General Acts 1943, p. 311 et seq.).

Also:

S. 330. To provide for the disposition of unobligated SACP funds which have reverted to the State Highway Department.

Also:

S. 291. Relating to the authority of the Highway Director to alter plans or character of work on construction projects after they have been let to contract; to determine the need for new or additional work not contemplated or included in the original construction contract; and to enter into a supplemental agreement with the prime contractor for extra work or to direct the prime contractor to perform the extra work on a force account basis.

Also:

S. 457. To amend Section 6 of Act No. 217, H. 275, approved August 1, 1961, (Acts of Legislature, Regular Session of 1961, Volume 1, pp. 244, et seq.), An Act "To provide for and prescribe the form of government of all cities having populations of not less than 30,000 nor more than 31,500."

Also:

S. 402. To provide that the Board of Revenue, or like governing body now existing or that may be hereafter created in all Counties of Alabama, having a population of not less than 150,000 nor more than 300,000 inhabitants according to the 1960 Federal Census pay to the Recorder of the Recorder's Court of all cities located in said County or counties for ex officio services rendered by the Recorder in the trial of cases in the Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Five Thousand One Hundred and NO/100 (5,100.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury, and providing further for the payment to the designated Prosecuting Attorney of the Recorder's Court located in said County or counties for ex officio services rendered by him in the prosecution of cases in Recorder's Court wherein there is charged a violation of the laws of Alabama a sum of Three Thousand and No/100 (3,000.00) Dollars per annum, payable in twelve (12) equal monthly installments out of the County Treasury.

Also:

S. 503. Relating to Wilcox County; to amend further Act No. 436, S. 397, Regular Session 1939 (Loc. Acts 1939, p. 261), an act which provided further for the duties, power, authority, and compensation of the members of the Court of County Commissioners of Wilcox County.

Also:

S. 504. To amend Act No. 192, H. 652, Regular Session 1955 (Acts 1955, p. 477), an act which authorizes and requires the governing body of Wilcox County to pay the clerk hire of certain county officers.

Also:

S. 513. Relating to the Thirty-first Judicial Circuit; extending the powers, authority and duties of the District Attorney of any such Judicial Circuit so as to empower, authorize and require that such District

Attorney supervise the prosecution of all misdemeanors to be tried and all felonies to be heard on preliminary, in any and all inferior courts located and constituted in the county composing any such judicial circuit; creating the office of deputy District Attorney for any such judicial circuit and prescribing the duties of such office; providing for the mode and manner of the appointment of such deputy District Attorney and for his compensation, and further providing that such compensation shall be paid out of the general fund of the county composing any such judicial circuit; authorizing the District Attorney of such circuit to appoint a stenographic secretary, and providing for the payment of said secretary's compensation from the general funds of the county constituting such circuit; providing for the supplemental compensation of the District Attorney of the 31st Judicial Circuit and that such supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

And the bill:

H. 1013 (with substitute). To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalities and fixing punishment for violations of the Act.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby levied in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika, in addition to all other taxes now imposed by law, special county privilege license and excise taxes paralleling state sales and use taxes in the manner and at the rates hereafter prescribed:

(1) Upon every person, firm, or corporation (including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages of all kinds, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions) engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail any tangible personal property whatsoever, including merchandise and commodities of every kind and character (not including, however, bonds or other evidence of debt or stocks, nor sale or sales of material and supplies to any person for use in fulfilling a contract for the painting, repair, or reconditioning of vessels, barges, ships and other watercraft of over fifty tons burden), an amount equal to one percent of the gross proceeds of sales of the business except where a different amount is expressly provided herein. Provided, however, that any person engaging or continuing in business as a retailer and wholesaler or jobber shall pay the tax required on the gross proceeds of retail sales of such businesses at the rates specified, when his books are kept so as to show separately the gross proceeds of sales of each business, and when his books are not so kept he shall pay the tax as retailer, on the gross sales of the business. Provided that where all the sales of a company are single sales of peanut products, milk products, coffee, and confections sold in dispensing machines located in industrial plants or on private property for employees where such machines dispense exclusively articles not to exceed ten cents (10¢) per sale, and the person operating such machines shall be engaged in the business of selling exclusively articles not to exceed ten cents (10¢) per sale and shall file with the state department of revenue a sworn statement to that effect and shall keep and maintain records satisfactory to the state department of revenue, the gross receipts tax herein provided for shall not be levied.

(2) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of conducting or operating places of amusement or entertainment, billiard and pool rooms, bowling alleys, amusement devices, theatres, opera houses, moving picture shows, vaudevilles, amusement parks, athletic contests, including wrestling matches, prize fights, boxing and wrestling exhibitions, football and baseball games (including athletic contests conducted by or under the auspices of any educational institution within such part of Lee County, or any athletic association thereof, or other association whether such institution or association be denominational, a state, county, or a municipal institution or association or a state, a county or a city school, or other institution, association, or school), skating rinks, race tracks, golf courses or any other place at which any exhibition, display, amusement, or entertainment is offered to the public or place or places where an admission fee is charged, including public bathing places, public dance halls of every kind and description, conducted or carried on within such part of Lee County, an amount equal to one percent of the gross receipts of any such business.

(3) Upon every person, firm, or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities

of Auburn and Opelika in the business of selling at retail machines or machinery used in mining, quarrying, compounding, processing and manufacturing of tangible personal property an amount equal to three-eighths of one percent of the gross proceeds of the sale of such machines; provided, that the term "machines," as herein used, shall include machinery which is used for mining, quarrying, compounding, processing or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

(4) Upon every person, firm or corporation engaged or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in the business of selling at retail any automotive vehicle or truck trailer, semi-trailer, or house trailer an amount equal to three-eighths of one percent of the gross proceeds of the sale of said automotive vehicle or truck trailer, semi-trailer or house trailer, provided, however, where a person subject to the tax provided for in this subsection withdraws from his stock in trade any automotive vehicle or truck trailer, semi-trailer or house trailer for use by him or by his employee or agent in the operation of such business, there shall be paid, in lieu of the tax levied herein a fee of one dollar and twenty-five cents per year or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person. Each such year or part thereof shall begin with the day or anniversary date, as the case may be of such withdrawal, and shall run for the twelve succeeding months or part thereof during which such automotive vehicle, truck trailer, semi-trailer or house trailer shall remain the property of such person.

Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade.

(5) An excise tax is hereby imposed on—

a. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail, for storage, use or other consumption in such part of Lee County, at the rate of one percent of the sale price of such property, except as provided in subsections (b) and (c).

b. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property purchased at retal at the rate of three-eighths of one percent of the sales price of such machine; provided, that the term "machine" as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

c. The storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any

automotive vehicle or truck trailer, semi-trailer or house trailer purchased at retail for storage, use or other consumption in such part of Lee County, at the rate of three-eighths of one percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automotive vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades, as a credit or part payment on the sale of a new or used vehicle, the tax levied shall be paid on the net difference, that is, the price of the new or used vehicle sold less a credit for the used vehicle taken in trade; and

d. An excise tax is hereby imposed on the classes of tangible personal property, and at the rates imposed on such classes, specified in subsections (a), (b) and (c) of this section, on the storage, use or other consumption in the performance of a contract in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika of any such tangible personal property, new or used, the tax to be measured by the sales price or the fair and reasonable market value of such tangible personal property when put into use in such part of Lee County, whichever is less. Provided, however, the tax imposed by this subsection shall not apply where the taxes imposed by subsections (a), (b) or (c) of this section apply.

Section 2. There are exempted from the levy of such taxes the gross receipts of any business and the gross proceeds of all sales which are exempted under the state sales tax statutes from the computation of the amount of the state sales tax. And there is also exempted from the levy the storage, use, or other consumption of property, the storage, use, or other consumption of which is exempted under the state use tax statutes from the state use tax. Subject to these exemptions, every person storing or using or otherwise consuming in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika tangible personal property purchased at retail shall be liable for the tax imposed, and the liability shall not be extinguished until the tax has been paid by such person; provided, however, that a receipt from a registered seller given to the purchaser of any property to be used, stored, or consumed in such part of Lee County shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer. The term "registered seller" means the person registered with the state department of revenue pursuant to the state sales tax statutes. The term "state sales tax statutes" means Act No. 100, H. 94, approved August 18, 1959, which levies a retail sales tax for state purposes, and includes all statutes, including amendments to said Act No. 100 which expressly set forth any exemptions from the computations of the tax levied in said Act No. 100, and all other statutes which expressly apply to, or purport to affect, the administration of said Act No. 100 and the incidence and collection of the tax imposed therein. The term "state use tax statutes" means Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended, including all statutes enacted which expressly set forth any exemptions from the computation of the tax levied in said Article 11 and all other statutes which expressly apply to, or purport to affect, the administration of the said article and the incidence and collection of the tax imposed therein.

Section 3. The sales tax levied in Section 1 shall be due and payable in monthly installments on or before the 20th day of the month next succeeding the month in which the tax accrues; the use tax levied pursuant to Section 1 shall be due and payable quarterly on or before the 20th day of the month next succeeding each quarterly period during which the storage, use, or other consumption, of the tangible personal property became taxable, each such quarterly period to end on the last day of each of the months of March, June, September, and December. All taxes levied pursuant to this Act shall be paid to and collected by the state department of revenue at the same time and along with the col-

lection of the state sales tax and the state use tax. On or prior to the due dates of the taxes levied each person subject to such taxes shall file with the state department of revenue a report or return in such form as may be prescribed by the department, setting forth with respect to all sales and business that are required to be used as a measurement of the tax levied, a correct statement of the gross proceeds of all such sales and the gross receipts of all such business, and setting forth with respect to the use tax levied, the total sales price of all property, the use, storage, or other consumption of which became subject to the tax during the then preceding quarterly period. Such reports shall include also such other items of information pertinent to the said taxes and the amount thereof as the state department of revenue may require. Any person subject to the taxes levied may defer reporting credit sales until after their collection, and in the event he so defers reporting them, he shall thereafter include in each monthly report all credit collections made during the month preceding, and shall pay the taxes due thereon at the time of filing such report. All reports or returns filed with the state department of revenue under this section shall be available for inspection by the governing body of Lee County, or its designated agent, at reasonable times during business hours.

Section 4. Every registered seller making sales of tangible personal property for storage, use, or other consumption in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika (which storage, use, or other consumption is not exempted from the tax imposed) shall at the time of making such sale, or, if the storage, use, or other consumption of such tangible personal property in such part of Lee County is not then taxable under this Act, at the time such storage, use, or other consumption becomes taxable hereunder, collect the tax from the purchaser, and shall give to the purchaser a receipt therefor in the manner and form prescribed by the state department of revenue. On the twentieth day of the month following the close of each quarterly period provided for in Section 3 hereof, each registered seller shall file with the state department of revenue a return for the preceding quarterly period in such form as may be prescribed by the department showing the total sales of the tangible personal property sold by such registered seller, the storage, use, or other consumption of which became subject to the tax imposed during the then preceding quarterly period; and each return shall be accompanied by a remittance of the amount of the tax required to be collected by such registered seller during the period followed by the return; provided, that any registered seller may defer collecting the tax with respect to credit sales until collection of the proceeds of such sales and may defer reporting credit sales until after their collection, but shall thereafter collect the said taxes along with collection of said credit sales and shall include in each quarterly report all credit collections made during the preceding quarterly period, and shall remit the taxes with respect thereto at the time of filing such report or return. Any person who has paid to a registered seller the tax with respect to the use, storage, or other consumption of tangible personal property in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika need not file a report or make any further payments of the said tax, but each person who purchases tangible personal property, the storage, use, or other consumption of which is subject to the tax imposed, and who has not paid the tax due with respect thereto to a registered seller, shall report and pay the tax as required by Section 3.

Section 5. Each person engaging or continuing within that part of Lee County outside the corporate limits of the cities of Auburn and Opelika in a business subject to the taxes levied in Section 1 shall add to the sales price or admission fee and collect from the purchaser or the person paying the admission fee the amount due by the taxpayer

on account of said taxes; and every registered seller shall likewise add to the sales price and collect from the purchaser the amount of any tax which such registered seller is required to collect. It shall be unlawful for any person subject to the tax levied to fail or refuse to add to the sales price or admission fee and to collect from the purchaser or person paying the admission fee the amount herein required to be so added to the sales or admission price and collected from the purchaser, and it shall likewise be unlawful for any person subject to said tax to refund or offer to refund all or any part of the amount so collected or to absorb or advertise directly or indirectly the absorption or refund of said tax or any portion thereof. It shall likewise be unlawful for any registered seller to fail or refuse to add to the sales price and to collect from the purchaser the amount of the tax imposed or to refund or offer to refund or absorb, or to advertise directly or indirectly the absorption of, said tax or any portion thereof.

Section 6. The taxes imposed by this Act shall constitute a debt due Lee County and may be collected by civil suit, in addition to all other methods provided by law and in this Act. The said taxes, together with interest and penalties with respect thereto, shall constitute and be secured by a lien upon the property of any person from whom said taxes are due or who is required to collect said taxes. All provisions of the revenue laws of this state which apply to the enforcement of liens for license taxes due the state shall apply fully to the collection of the county taxes levied, and the state department of revenue for the use and benefit of Lee County shall collect such taxes and enforce this Act and shall have and exercise for such collection and enforcement all rights and remedies that this state or the department has for collection of the state sales tax and the use tax. The state department of revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of the taxes authorized to be levied by this Act, and otherwise to enforce the provisions of this Act, including any litigations involving the Act; and the department shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes collected by it for Lee County.

Section 7. All provisions of the state sales tax statutes with respect to payment, assessment and collection of the state sales tax, making of reports and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports, or otherwise comply with the state sales tax statutes, the promulgation of rules and regulations with respect to the state sales tax, and the administration and enforcement of the state sales tax statutes, which are not inconsistent with the provisions of this Act when applied to the tax levied in Section 1 hereof, shall apply to the county tax levied, and all provisions of the state use tax statutes with respect to payment, assessment and collection of the state use tax, making quarterly reports, and keeping and preserving records with respect thereto, interest after due date of tax, penalties for failure to pay tax, make reports or otherwise comply with the state use tax statutes, the promulgation of rules and regulations with respect to the state use tax, and the administration and enforcement of the state use tax statutes, which are not inconsistent with the provisions of this Act when applied to the county use tax levied shall apply to the county tax. The commissioner of revenue and the state department of revenue shall have and exercise the same powers, duties, and obligations with respect to the county taxes levied as are imposed on the commissioner and the department, respectively, by the state sales tax statutes and the state use tax statutes. All provisions of the state sales tax statutes and the state use tax statutes that are made applicable by this Act to the county taxes levied and to the administration of this Act are incorporated herein by reference and made a part hereof as if fully set forth herein.

Section 8. The state department of revenue shall charge Lee County for collecting the special county taxes levied such amount or percentage of total collections as may be agreed upon by the commissioner of revenue and the court of county commissioners, board of revenue, or like governing body of the county, but such charge shall not in any event exceed ten percent of the total amount of special county taxes collected hereunder within the county. Such charge for collecting the special taxes for the county may be deducted each month from the special sales and special use taxes collected before certifying the amount of the proceeds thereof due Lee County for that month. The commissioner of revenue shall pay into the state treasury all county taxes collected under this Act, as such taxes are received by the department of revenue; and on or before the first day of each successive month (commencing with the month following the month in which the department makes the first collections hereunder), the commissioner shall certify to the state comptroller the amount of taxes collected under the provisions of this Act and paid by him into the state treasury for the benefit of Lee County during the month immediately preceding the making of such certificate. Provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Lee County during each month, the commissioner may deduct from the taxes collected in said month the charges due the department for the collection of the taxes for the county. It shall be the duty of the comptroller to issue his warrant each month payable to the custodian of the public school funds of Lee County, in his official capacity, in an amount equal to the amount so certified by the commissioner of revenue as having been collected for the use of the county. The custodian of public school funds for Lee County shall deposit the revenue derived from the taxes levied herein in the public school funds of the county; and the net proceeds derived from the taxes levied by this Act shall be used for general school purposes in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective October 1, 1969.

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Lybrand	Perloff
Agee	Edington	Lyons	Pruitt
Bassett	Ellis	Malone	Robertson
Beck	Fine	Manley	Sessions
Berryman (W)	Foshee	Marr	Shumate
Bolton	Graham	Mays	Smith
Bowers	Hain	McCorquodale	Snell
Brannan	Hardin	McDonald	Springer
Brassell	Harper	Meeks	Steagall
Burgess	Harris	Melton	Stembridge
Cherner	Headley	Merrill	Tuck
Collier	Higginbotham	Money	Turnham
Collins (C)	Hobbie	Nettles	Watkins
Collins (W)	Holman	Neville	Weeks
Cook (Coffee)	Jackson (F)	Owen (Baldwin)	Williams
Crawford	Jackson (T)	Owens (W)	Wood
Culver	Kilgore	Pearson	Wright
Dobbs	Lemley	Pennington	Yeilding
Doss			

—73

And the bill, H. 1013, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W)
Agee	Downing	Kilgore	Perloff
Bassett	Drake	Lemley	Pruitt
Beck	Edington	Lybrand	Sessions
Berryman (W)	Ellis	Lyons	Shumate
Bolton	Fine	Malone	Snell
Bowers	Foshee	Manley	Springer
Brannan	Graham	Marr	Steagall
Brassell	Grayson	Mays	Stembridge
Burgess	Hain	McDonald	Tuck
Cherner	Harper	McElhaney	Turnham
Collier	Harris	Meeks	Waggoner
Collins (C)	Haygood	Melton	Watkins
Collins (W)	Headley	Merrill	Weeks
Cook (Coffee)	Higginbotham	Money	Wood
Cook (Jefferson)	Hobbie	Nettles	Wright
Crawford	Holladay	Neville	Yeilding
Culver	Holman	Owen (Baldwin)	Young
Dobbs	Jackson (F)		—74

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 431. Relating to counties having population of not less than 25,400 nor more than 25,600 according to the most recent federal decennial census; providing for payment of in county travel expenses for county commissioners, payable from the county treasury.

Also:

H. 321. To provide that no municipality whose corporate limits do not lie within or extend into Shelby County shall have or exercise police jurisdiction or powers in said county.

Also:

H. 322. To alter, redefine and reduce the corporate limits of the City of Leeds so as to exclude therefrom any and all territory lying within the boundaries of Shelby County.

Also:

H. 687. Relating to Autauga County; further regulating the places of meetings of the board of registrars.

Also:

H. 689. Relating to Marengo County; to provide that the corporate authorities of any city therein, and the Board of Revenue, may each establish within the city, or within the county, ambulance service; and that the corporate authorities of any city and the Board of Revenue may unite in the establishment of such service, making it common for the use of the city and of the county.

Also:

H. 555. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Springville in said county.

Also:

H. 669. Relating to counties having populations of not less than 26,000 and not more than 27,000; providing an additional mileage allowance for the members of the governing body of such counties to be used in attending certain conventions.

Also:

H. 756. To apply only to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census, providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment used in night hunting of deer in the county and providing for the disposition of the proceeds of the sale thereof.

Also:

H. 701. To abolish the public highway and traffic fund in the county treasuries of all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; and to provide for the transfer of any monies therein to the general fund in each of such counties and for the deposit in such general fund of such counties of all monies dedicated to construction, maintenance and repair of roads and bridges or to traffic control, hereafter accruing to such counties.

Also:

H. 595. To provide further for the selection of textbooks and instructional materials for use in the public schools in all counties having populations of not less than 36,600 nor more than 37,600, according to the most recent federal decennial census.

Also:

H. 702. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; further regulating the number and compensation of deputies and other employees of the sheriffs in such counties.

Also:

H. 766. Relating to the compensation of members of boards of directors of certain municipal corporations in cities having populations of not less than 20,500 nor more than 28,000, according to the most recent federal decennial census; amending further Section 3 of Act No. 175, S. 280, Regular Session of 1951 (Acts 1951, p. 416).

Also:

H. 26. To alter or rearrange the boundary lines of the City of Thomasville, Alabama, so as to include in the corporate limits of said city certain territory not now included, and to exclude from the City of Thomasville, Alabama, certain territory now included in the corporate limits of said city.

Also:

H. 199. To amend Act No. 606, H. 737, Regular Session 1967, an act regulating the practice of barbering and the operation of barber shops and barber schools in counties having populations of not less than 100,000 nor more than 115,000 (Acts 1967, v. 2, p. 1395 et seq.).

Also:

H. 763. Relating to counties having populations of not less than 15,300 nor more than 15,400, according to the most recent federal decennial census; to provide for the disposition of guns, nets, and other equipment taken or found by police officers in game and fish cases in such counties.

Also:

H. 769. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census by providing for expenses for travel out of the county. This Act is in addition to all existing allowances.

Also:

H. 773. Relating to judicial procedure in all counties having populations of not less than 76,000 nor more than 96,000: To authorize and provide for the judge, in his discretion, to excuse veniremen summoned for the week in which a person or persons indicted for a capital felony is to be tried, prior to the call of the case and without the defendant or his attorney being present.

Also:

H. 786. To repeal Act No. 157, S. 276 of the Regular Session of 1965 (Acts, 1965, Regular Session, p. 227), entitled "An Act further regulating commercial fishing in public waters in all counties having populations of not less than 96,000 nor more than 106,000, so as to prohibit the use of gill or trammel nets or hoop or fyke nets in commercial fishing operations in such counties."

Also:

H. 787. To propose an amendment to the Constitution relating to the levy and collection of special property taxes for educational purposes in the territory of Etowah County exclusive of Gadsden and Attalla.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

And the bill:

H. 1016. Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit

judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff
Agee	Drake	Lemley	Pruitt
Bassett	Edington	Lybrand	Robertson
Beck	Ellis	Lyons	Sessions
Berryman (W)	Fine	Malone	Shumate
Bolton	Foshee	Manley	Snell
Bowers	Garrett	Marr	Springer
Brannan	Graham	Mays	Steagall
Brassell	Hain	McDonald	Stembridge
Burgess	Hardin	Meade	Stubbs
Cherner	Harper	Meeks	Tuck
Collier	Harris	Melton	Turnham
Collins (C)	Haygood	Merrill	Waggoner
Collins (W)	Headley	Money	Watkins
Cook (Coffee)	Higginbotham	Nettles	Weeks
Cook (Jefferson)	Hill	Neville	Wood
Crawford	Hobbie	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dobbs	Jackson (F)	Paulk	Young
Doss	Jackson (T)	Pearson	

—79

And the bill:

H. 1017. To regulate the compensation of jurors in counties having populations of not less than 50,000 nor more than 54,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Agee	Drake	Lemley	Pennington
Bassett	Edington	Lybrand	Perloff
Beck	Ellis	Lyons	Robertson
Berryman (W)	Fine	Malone	Sessions
Bolton	Foshee	Manley	Shumate
Bowers	Gloor	Marr	Smith
Brannan	Graham	Mays	Snell
Brassell	Grayson	McDonald	Steagall
Burgess	Hain	McElhaney	Stembridge
Cherner	Hardin	Meade	Stubbs
Collier	Harper	Melton	Tuck
Collins (C)	Harris	Merrill	Turnham
Collins (W)	Higginbotham	Money	Waggoner
Cook (Coffee)	Hill	Nettles	Weeks
Crawford	Hobbie	Neville	Wood
Culver	Holman	Owen (Baldwin)	Wright
Dobbs	Jackson (F)	Owens (W)	Yeilding
Doss	Jackson (T)	Paulk	Young

—76

And the bill:

H. 1023. Relating to counties having a population of not less than 21,850 nor more than 21,950; increasing the salary of the deputy solicitor in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Lybrand	Perloff
Agee	Ellis	Lyons	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Bolton	Garrett	Mays	Smith
Bowers	Graham	McDonald	Springer
Brannan	Grayson	McElhaney	Steagall
Burgess	Hain	Meade	Stembridge
Cherner	Hardin	Melton	Stubbs
Collier	Harper	Merrill	Tuck
Collins (C)	Harris	Money	Turnham
Collins (W)	Higginbotham	Nettles	Waggoner
Crawford	Hobbie	Neville	Weeks
Culver	Holman	Owen (Baldwin)	Wood
Dobbs	Jackson (F)	Owens (W)	Wright
Doss	Jackson (T)	Paulk	Yeilding
Downing	Kilgore	Pearson	Young
Drake	Lemley	Pennington	

—75

And the bill:

H. 1025. Relating to counties having populations of not less than 24,525 and not more than 24,675; relieving the board of registrars of such counties from the duty of visiting precincts or voting places in the performance of their duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Paulk
Agee	Drake	Kilgore	Pearson
Bassett	Edington	Lemley	Pennington
Beck	Ellis	Lybrand	Perloff
Berryman (W)	Fine	Malone	Shumate
Bolton	Foshee	Manley	Smith
Bowers	Gafford	Marr	Snell
Brannan	Garrett	Mays	Springer
Brassell	Graham	McDonald	Steagall
Burgess	Grayson	McElhaney	Stembridge
Cherner	Hain	Meade	Tuck
Collier	Hardin	Melton	Turnham
Collins (C)	Harper	Merrill	Waggoner
Collins (W)	Harris	Money	Weeks
Cook (Coffee)	Headley	Nettles	Wood
Crawford	Higginbotham	Neville	Wright
Culver	Hill	Owen (Baldwin)	Yeilding
Dobbs	Holman	Owens (W)	Young
Doss	Jackson (F)		

—74

And the bill:

H. 1026. Relating to counties having populations of not less than 51,000 nor more than 56,000; authorizing appropriations from the treasury of any such county for the relief of C. F. Pruitt and Quillian Benson.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Agee	Edington	Lemley	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Fine	Lyons	Pruitt
Berryman (W)	Foshee	Malone	Sessions
Bolton	Gafford	Manley	Shumate
Bowers	Garrett	Marr	Smith
Brannan	Graham	Mays	Snell
Brassell	Grayson	McCorquodale	Springer
Burgess	Hain	McDonald	Steagall
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Melton	Waggoner
Cook (Coffee)	Haygood	Merrill	Weeks
Crane	Headley	Money	Williams
Crawford	Higginbotham	Nettles	Wood
Culver	Hill	Neville	Wright
Dobbs	Holman	Owen (Baldwin)	Yeilding
Doss	Jackson (F)	Owens (W)	Young
Downing	Jackson (T)	Paulk	—79

And the bill:

H. 1027. Relating to Perry County; relieving the board of registrars of the county from the duty of visiting precincts or voting places in the performance of their duties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Culver	Harris	McElhaney
Agee	Dobbs	Headley	Meade
Bassett	Doss	Higginbotham	Melton
Berryman (W)	Downing	Hill	Merrill
Bolton	Drake	Holman	Money
Bowers	Edington	Jackson (F)	Nettles
Brannan	Ellis	Jackson (T)	Neville
Brassell	Fine	Kilgore	Owen (Baldwin)
Brown	Foshee	Lemley	Owens (W)
Burgess	Gafford	Lybrand	Pearson
Cherner	Garrett	Lyons	Pennington
Collier	Gloor	Malone	Perloff
Collins (C)	Graham	Manley	Pruitt
Collins (W)	Grayson	Marr	Robertson
Cook (Coffee)	Hain	Mays	Sessions
Crane	Hardin	McCorquodale	Shumate
Crawford	Harper	McDonald	Smith

Snell	Stembridge	Waggoner	Wright	
Springer	Stubbs	Weeks	Yeilding	
Starnes	Tuck	Williams	Young	
Steagall	Turnham	Wood		—83

And the bill:

H. 1028. Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors, or users of malt or brewed beverages; providing for the administration of the act and the collection and use of the proceeds of the tax; prescribing penalities for violations.

Was taken up.

Mr. Holladay offered the following amendment to the bill, H. 1028:

Amend the title to House Bill 1028 so that said title will read as follows:

"Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors or users of malt or brewed beverages, said privilege license or excise tax to vary in amount based upon the location within St. Clair County where said sale of malt or brewed beverages is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations;".

Also amend Section 1 of House Bill 1028 by deleting the second sentence in said Section 1 and adding in lieu thereof the following words and figures:

"The tax shall be an amount equal to .6666 of 1¢ on each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used, consumed or distributed within the corporate limits of any municipality in St. Clair County; or the tax shall be an amount equal to .8333 of 1¢ on each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used, consumed or distributed within the police jurisdiction of any municipality in St. Clair County; or the tax shall be an amount equal to 1¢ on each 4 fluid ounces or fractional part thereof of malt or brewed beverages sold, used, consumed or distributed in St. Clair County but outside the corporate limits or police jurisdiction of any municipality."

Also amend section 2 of House Bill 1028 so that said Section 2 shall read as follows:

"Section 2: The privilege or license tax authorized herein shall be collected by or under the supervision and control of the county governing body who shall be solely responsible for the administration of this act. Said body is hereby empowered to adopt such rules and regulations and administrative machinery for the enforcement and collection of the tax levied by this act as said body shall determine necessary and said governing body shall have the authority to provide for devices for affixing stamped impressions or stamps on lids and crowns or containers to be used as evidence of payment of the tax levied by this act and to provide proper forms requiring sufficient information and proof to be verified by the oath of any seller, distributor, dealer or other user claiming exemptions from payment of the tax on account of purchases made from others who have paid the tax imposed by this act. The county governing body shall be authorized to employ such personnel and inspectors to assist in the administration and enforcement of this act as it may deem necessary. It shall be the duty of the Sheriff and other duly constituted officers of St. Clair County to enforce the provisions of this act and nothing herein shall be interpreted as relieving them of such duty."

Also amend Section 5(d) of House Bill 1028 so that said Section 5(d) shall read as follows:

"(d) The tax shall be paid by each distributor or seller when he makes his report as required by Section 3 or if the county governing body enacts regulations requiring decals or other devices then said tax shall be paid by the purchase of said decals or other devices."

Also amend Section 6(b) of House Bill 1028 so that said Section 6(b) shall read as follows:

"(b) It shall be the duty of the county governing body to enforce the provisions of this act and to that end its duly appointed agent or the Sheriff or a deputy Sheriff or any other legally constituted officer of the county is hereby authorized to enter any premises of any retailer of malt or brewed beverages at any time during the hours in which such retailer is engaged in the business of selling or serving malt or brewed beverages and to inspect the containers of malt and brewed beverages within the retailers premises for the purpose of determining whether or not said retailer is in possession of any untaxed malt or brewed beverages.

Also amend Section 6 by adding sub-section (c). Said sub-section (c) shall read as follows:

"(c) In the event the St. Clair County governing body shall adopt regulations which require the purchase and affixing of decals or other devices evidencing the payment of the tax provided by this act upon each container containing malt or brewed beverages than and only then will the provisions of Sections 7, 8 and 9 of this act be applicable and enforceable."

Also amend Section 10 of House Bill 1028 so that said Section 10 will read as follows:

"Section 10. The proceeds of the tax imposed by this act shall be paid into the General Fund in the County Treasury and the proceeds of such tax less the cost of collecting said tax, shall be disbursed out of the County Treasury as follows: One-half of the proceeds of the net proceeds of such tax shall on or before the 25th day of each month be paid to the St. Clair County Board of Education. The balance of said tax shall remain in the General Fund of St. Clair County to be disbursed by the St. Clair County governing body as any other funds of the county are disbursed."

Further amend House Bill 1028 by deleting Section 13 and renumbering Section 14 to Section 13; Section 15 to Section 14 and Section 16 to Section 15.

And the amendment was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Brown	Culver	Garrett
Agee	Burgess	Dill	Graham
Bassett	Cherner	Dobbs	Grayson
Beck	Collier	Downing	Hain
Berryman (W)	Collins (C)	Drake	Hardin
Bolton	Collins (W)	Edington	Harper
Bowers	Cook (Coffee)	Ellis	Harris
Brannan	Crane	Fine	Headley
Brassell	Crawford	Gafford	Higginbotham

Hill	Mays	Owens (W)	Steagall
Holladay	McCorquodale	Paulk	Stembridge
Holman	McDonald	Pearson	Stubbs
Jackson (F)	McElhaney	Pennington	Tuck
Jackson (T)	Meade	Perloff	Waggoner
Kilgore	Melton	Pruitt	Weeks
Lemley	Merrill	Robertson	Williams
Lybrand	Money	Sessions	Wood
Lyons	Nettles	Snell	Wright
Malone	Neville	Springer	Yeilding
Manley	Owen (Baldwin)	Starnes	Young
Marr			

—81

And the bill, H. 1028, as thus amended:

"Relating to St. Clair County; levying a privilege license or excise tax upon sellers, distributors or users of malt or brewed beverages, said privilege license or excise tax to vary in amount based upon the location within St. Clair County where said sale of malt or brewed beverages is consummated; providing for the administration of this act and the collection and use of the proceeds of the tax; providing penalties for violations;".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Perloff
Agee	Drake	Lemley	Pruitt
Bank	Edington	Lyons	Robertson
Bassett	Ellis	Malone	Sessions
Beck	Fine	Manley	Snell
Berryman (W)	Gafford	Marr	Springer
Bowers	Graham	Mays	Starnes
Brannan	Grayson	McCorquodale	Steagall
Brassell	Hain	McElhaney	Stembridge
Burgess	Hardin	McLain	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Merrill	Waggoner
Collins (C)	Headley	Money	Watkins
Collins (W)	Higginbotham	Nettles	Weeks
Cook (Coffee)	Holladay	Neville	Williams
Crane	Holman	Owen (Baldwin)	Wood
Crawford	Jackson (F)	Owens (W)	Wright
Culver	Jackson (T)	Pearson	Yeilding
Dill	Kilgore	Pennington	Young
Dobbs			

—77

And the bill:

H. 1029. Relating to counties having a population of not less than 24,800 nor more than 25,400 according to the most recent Federal Decennial Census; to authorize the county governing body of any such county to appropriate a contingent fund out of county funds and to use such fund for purposes not otherwise provided by law.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Edington	Lemley	Perloff
Bassett	Ellis	Lyons	Pruitt
Beck	Fine	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Blanton	Graham	Marr	Snell
Bolton	Grayson	Mathews	Springer
Brannan	Hain	Mays	Starnes
Brassell	Hardin	McDonald	Steagall
Burgess	Harper	McElhaney	Stembridge
Cherner	Harris	Melton	Stubbs
Collier	Headley	Merrill	Tuck
Collins (C)	Higginbotham	Money	Waggoner
Cook (Coffee)	Holladay	Nettles	Watkins
Crane	Holman	Neville	Wood
Crawford	Jackson (F)	Owen (Baldwin)	Wright
Culver	Jackson (T)	Owens (W)	Yeilding
Dill	Kilgore	Paulk	Young
Dobbs			—73

And the bill:

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (F)	Owens (W)
Agee	Culver	Kilgore	Paulk
Bank	Dill	Laxson	Pearson
Bassett	Dobbs	Lemley	Perloff
Beck	Downing	Lyons	Pruitt
Berryman (W)	Fine	Malone	Sessions
Blanton	Gafford	Manley	Snell
Bolton	Graham	Marr	Springer
Brannan	Grayson	Mathews	Starnes
Brassell	Hardin	Mays	Stembridge
Burgess	Harper	Melton	Tuck
Collier	Harris	Merrill	Wood
Collins (C)	Headley	Money	Wright
Collins (W)	Higginbotham	Nettles	Yeilding
Cook (Coffee)	Holladay	Neville	Young
Crane	Holman	Owen (Baldwin)	—63

And the bill:

H. 1034. To authorize the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City, to authorize and permit, on behalf of the City of Anniston, Alabama, South Central Bell Telephone Company, its successors and assigns, to construct and maintain a building, or a portion thereof, over and above

the alley running north and south in Block 4 as shown on the Anniston City Land Company Map of Anniston, and to construct and maintain a passage-way under said alley, said construction to connect the building now occupied by said Telephone Company on the west side of said alley, or as it may be repaired or altered, with a building to be constructed by it on the east side of said alley; to set forth certain conditions concerning the width of said building, or portion thereof, constructed over and above said alley, the width of said passage-way under said alley, and the height from the top surface of said alley that the bottom of said building, or portion thereof, constructed over and above said alley shall be, in the event such authority and permission is granted by the Board of Commissioners of the City of Anniston, Alabama, or any other governing body of said City; to provide that the City of Anniston, Alabama, shall not be liable or responsible in damages for any injuries to persons, including death, or for any damages to property, arising out of or connected with the construction or maintenance of said building, or portion thereof, or said passage-way; to provide that in the event such authority and permission is granted, all parts of said alley included with the dimensions of said building, or portion thereof, constructed over and above said alley, and all parts of said alley included within the dimensions of said passage-way constructed under said alley shall be expressly vacated, and all rights of the public, including property owners in said Block 4, in said vacated portion of said alley, shall be expressly divested, and that the City of Anniston shall not be liable in damages in any manner by reason of said vacation; and to provide certain other conditions and provisions relative to said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dill	Laxson	Pearson
Bank	Dobbs	Lemley	Perloff
Bassett	Downing	Lyons	Pruitt
Beck	Edington	Malone	Robertson
Berryman (W)	Ellis	Manley	Sessions
Blanton	Fine	Marr	Slate
Bolton	Gafford	Mathews	Snell
Bowers	Garrett	Mays	Springer
Brannan	Graham	McCorquodale	Starnes
Brassell	Grayson	McDonald	Steagall
Burgess	Hain	McElhaney	Stembridge
Cherner	Hardin	Melton	Stubbs
Collier	Harper	Merrill	Tuck
Collins (C)	Harris	Money	Waggoner
Collins (W)	Headley	Nettles	Williams
Cook (Coffee)	Higginbotham	Neville	Wood
Cook (Jefferson)	Holman	Owen (Baldwin)	Wright
Crane	Jackson (F)	Owens (W)	Yeilding
Crawford	Jackson (T)	Paulk	Young
Culver	Kilgore		—78

And the bill:

H. 1048. Relating to Barbour County; regulating the compensation of the jury commission, and the clerk thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Agee	Downing	Laxson	Pennington
Bank	Edington	Lemley	Perloff
Bassett	Ellis	Lyons	Pruitt
Beck	Fine	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Bolton	Garrett	Marr	Slate
Bowers	Gloor	Mathews	Smith
Brannan	Graham	Mays	Snell
Brassell	Grayson	McCorquodale	Starnes
Burgess	Hain	McDonald	Steagall
Cherner	Hardin	McElhaney	Stembridge
Collier	Harper	Melton	Stubbs
Collins (C)	Harris	Merrill	Tuck
Collins (W)	Haygood	Money	Weeks
Cook (Coffee)	Headley	Nettles	Williams
Cook (Jefferson)	Higginbotham	Neville	Wood
Crane	Holladay	Owen (Baldwin)	Wright
Crawford	Holman	Owens (W)	Yeilding
Culver	Jackson (F)	Paulk	Young
Dill	Jackson (T)		

—82

And the bill:

H. 1049. To create a judiciary fund in the county treasury of Barbour County, to be used for the purpose of obtaining, maintaining and making available for public use certain judicial reference materials; to provide for certain payments into the fund and to provide for and regulate expenditures from the fund; placing certain duties on the Judge of the Third Judicial Circuit, the county treasurer of Barbour County and the Barbour County Bar Association; and authorizing the county governing body of Barbour County to expend general funds of the county for the purpose of providing quarters and facilities for the proper care and storage and the convenient use of such judicial reference materials.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Pearson
Agee	Downing	Laxson	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lyons	Robertson
Beck	Gafford	Malone	Sessions
Berryman (W)	Garrett	Manley	Slate
Bolton	Gloor	Marr	Snell
Brannan	Graham	Mays	Starnes
Brassell	Grayson	McCorquodale	Steagall
Brown	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Stubbs
Collier	Harper	Merrill	Tuck
Collins (W)	Harris	Money	Watkins
Cook (Coffee)	Headley	Nettles	Weeks
Crane	Higginbotham	Neville	Wood
Crawford	Holman	Owen (Baldwin)	Wright
Culver	Jackson (F)	Owens (W)	Yeilding
Dill	Jackson (T)	Paulk	Young

—72

And the bill:

H. 1050. Relating to Barbour County; further regulating the schedule days of meeting of the board of equalization of Barbour County at the two courthouses of the county; providing taxpayers a right as to the place of holding certain hearings, and requiring notice thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Perloff
Agee	Downing	Kilgore	Pruitt
Bank	Edington	Laxson	Robertson
Bassett	Ellis	Lemley	Sessions
Beck	Fine	Lyons	Slate
Berryman (W)	Gafford	Manley	Smith
Bolton	Garrett	Marr	Snell
Brannan	Gloor	Mays	Starnes
Brassell	Graham	McDonald	Steagall
Brown	Grayson	McElhaney	Stembridge
Cherner	Hain	Merrill	Stubbs
Collier	Hardin	Money	Tuck
Collins (C)	Harper	Nettles	Weeks
Collins (W)	Harris	Neville	Williams
Crane	Headley	Owen (Baldwin)	Wood
Crawford	Higginbotham	Owens (W)	Wright
Culver	Holman	Paulk	Yeilding
Dill	Jackson (F)	Pearson	Young

—72

And the bill:

H. 1055. Relating to cities operating under the commission form of government for more than thirty years having a population of not less than 16,000 nor more than 26,000 according to the most recent Federal Decennial Census, fixing the election and terms of office, the salaries and duties of the members of the Board of Commissioners of such cities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Robertson
Agee	Downing	Lemley	Sessions
Bank	Edington	Lyons	Slate
Bassett	Fine	Manley	Smith
Beck	Gafford	Marr	Snell
Berryman (W)	Gloor	Mays	Springer
Bolton	Graham	McCorquodale	Starnes
Brannan	Grayson	McDonald	Steagall
Brassell	Hain	McElhaney	Stembridge
Brown	Hardin	Melton	Stubbs
Cherner	Harper	Merrill	Tuck
Collier	Harris	Money	Turnham
Collins (C)	Headley	Owen (Baldwin)	Watkins
Collins (W)	Higginbotham	Owens (W)	Williams
Cook (Coffee)	Holman	Paulk	Wood
Crane	Jackson (F)	Pearson	Wright
Crawford	Jackson (T)	Perloff	Yeilding
Culver	Kilgore	Pruitt	Young
Dill			

—73

And the bill:

H. 1057. Proposing an amendment to the Constitution of Alabama to authorize the consolidation of county offices in Talladega County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pruitt
Agee	Downing	Lemley	Sessions
Bank	Edington	Lyons	Slate
Bassett	Fine	Manley	Smith
Beck	Gafford	Marr	Snell
Berryman (W)	Gloor	Mays	Starnes
Bolton	Graham	McCorquodale	Steagall
Brannan	Grayson	McDonald	Stembridge
Brassell	Hain	McElhaney	Stubbs
Brown	Hardin	Melton	Tuck
Burgess	Harper	Merrill	Turnham
Collier	Harris	Money	Watkins
Collins (C)	Headley	Nettles	Weeks
Collins (W)	Higginbotham	Owen (Baldwin)	Williams
Cook (Coffee)	Holman	Owens (W)	Wood
Crane	Jackson (F)	Paulk	Wright
Crawford	Jackson (T)	Pearson	Yeilding
Culver	Kilgore	Perloff	Young
Dill			

—73

And the bill:

H. 1058. To amend Section 6 of Act No. 78, H. 64, Special Session 1967 (Acts 1967, p. 109), an act to regulate further the procedure for the abandoning the Commission form of government and the reorganization of the city government thereafter in all cities of this state which have a population of not less than 16,000 nor more than 26,000 according to the most recent federal decennial census, with respect to the salary of the Mayor and Aldermen elected under the above act and to further establish the office of Mayor as a full-time office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Hain	Lyons
Agee	Cook (Coffee)	Hardin	Manley
Bank	Crane	Harper	Marr
Bassett	Crawford	Harris	Mays
Beck	Culver	Headley	McCorquodale
Berryman (W)	Dill	Higginbotham	McDonald
Bolton	Dobbs	Holman	McElhaney
Bowers	Downing	House	Melton
Brannan	Edington	Jackson (F)	Merrill
Brassell	Fine	Jackson (T)	Money
Brown	Gafford	Kilgore	Nettles
Cherner	Gloor	Laxson	Owen (Baldwin)
Collier	Graham	Lemley	Owens (W)
Collins (C)	Grayson	Lybrand	Paulk

Pearson	Smith	Tuck	Williams
Pennington	Snell	Turnham	Wood
Perloff	Starnes	Waggoner	Wright
Pruitt	Steagall	Watkins	Yeilding
Sessions	Stembridge	Weeks	Young
Slate	Stubbs		

—78

And the bill:

H. 1059. To provide for and regulate the selection and empaneling of alternate jurors for the trial of any case triable by jury in the circuit courts of the twenty-ninth judicial circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Perloff
Agee	Downing	Lemley	Pruitt
Bank	Edington	Lybrand	Robertson
Bassett	Fine	Lyons	Sessions
Beck	Gafford	Manley	Slate
Berryman (W)	Garrett	Marr	Smith
Blanton	Gloor	Mathews	Snell
Bolton	Graham	Mays	Starnes
Bowers	Grayson	McCorquodale	Steagall
Brannan	Hain	McDonald	Stembridge
Brassell	Hardin	McElhaney	Stubbs
Brown	Harper	Melton	Tuck
Cherner	Harris	Merrill	Turnham
Collier	Headley	Money	Waggoner
Collins (C)	Higginbotham	Nettles	Weeks
Collins (W)	Holman	Owen (Baldwin)	Williams
Cook (Coffee)	House	Owens (W)	Wood
Crane	Jackson (F)	Paulk	Wright
Crawford	Jackson (T)	Pearson	Yeilding
Culver	Kilgore	Pennington	Young
Dill			

—81

And the bill:

H. 1060. Relating to counties having populations of not less than 65,000 nor more than 95,000; authorizing the county governing body of any such county and the governing body of any municipality within any such county to contribute public funds for a volunteer rescue squad.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Collins (W)
Agee	Bolton	Burgess	Cook (Coffee)
Bank	Bowers	Cherner	Crane
Bassett	Brannan	Collier	Crawford
Beck	Brassell	Collins (C)	Dill

Dobbs	Holladay	McElhaney	Smith
Downing	Holman	Melton	Snell
Edington	House	Merrill	Starnes
Fine	Jackson (F)	Money	Steagall
Gafford	Jackson (T)	Nettles	Stembridge
Garrett	Kilgore	Owen (Baldwin)	Stubbs
Gloor	Laxson	Owens (W)	Tuck
Graham	Lemley	Paulk	Turnham
Grayson	Lyons	Pearson	Waggoner
Hain	Manley	Pennington	Williams
Hardin	Marr	Perloff	Wood
Harper	Mathews	Pruitt	Wright
Harris	Mays	Robertson	Yeilding
Headley	McCorquodale	Sessions	Young
Higginbotham	McDonald	Slate	

—79

And the bill:

H. 1064. To amend Section 1 of Act No. 60, H. 395 of the current Regular Session 1969, an Act regulating the compensation of the county superintendent of education of counties having a population of 10,800 to 12,000, according to the latest federal census, so as to establish a minimum for such compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Perloff
Agee	Edington	Laxson	Pruitt
Bank	Ellis	Lemley	Robertson
Bassett	Fine	Lyons	Sessions
Beck	Gafford	Manley	Smith
Berryman (W)	Garrett	Marr	Snell
Bolton	Gloor	Mathews	Starnes
Bowers	Graham	Mays	Steagall
Brannan	Grayson	McCorquodale	Stembridge
Brassell	Hain	McDonald	Stubbs
Burgess	Hardin	McElhaney	Tuck
Cherner	Harper	Melton	Turnham
Collier	Harris	Merrill	Waggoner
Collins (C)	Headley	Money	Watkins
Collins (W)	Higginbotham	Nettles	Weeks
Cook (Coffee)	Holladay	Owen (Baldwin)	Williams
Crane	Holman	Owens (W)	Wood
Crawford	House	Paulk	Wright
Culver	Jackson (F)	Pearson	Yeilding
Dill	Jackson (T)	Pennington	Young
Dobbs			

—81

And the bill:

S. 410. Relating to counties having populations of not less than 100,000 nor more than 115,000; to provide an additional, alternative procedure whereby cities and towns in such counties may alter their corporate limits to incorporate into their boundaries certain contiguous unincorporated territory.

Was read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Perloff
Agee	Drake	Lemley	Pruitt
Bank	Edington	Lybrand	Robertson
Bassett	Ellis	Lyons	Sessions
Beck	Fine	Malone	Slate
Berryman (W)	Gafford	Manley	Snell
Bolton	Garrett	Marr	Starnes
Bowers	Gloor	Mathews	Steagall
Brannan	Graham	Mays	Stembridge
Brassell	Grayson	McCorquodale	Stubbs
Brown	Hain	McDonald	Tuck
Burgess	Hardin	McElhaney	Turnham
Cherner	Harper	Melton	Waggoner
Collier	Harris	Merrill	Watkins
Collins (C)	Headley	Money	Weeks
Collins (W)	Higginbotham	Nettles	Williams
Cook (Coffee)	Holman	Owen (Baldwin)	Wood
Crane	House	Owens (W)	Wright
Crawford	Jackson (F)	Paulk	Yeilding
Culver	Jackson (T)	Pearson	Young
Dill	Kilgore	Pennington	—83

And the bill:

S. 468. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Tallapoosa County.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Robertson
Agee	Drake	Lybrand	Sessions
Bank	Edington	Lyons	Slate
Bassett	Ellis	Manley	Smith
Beck	Gafford	Marr	Snell
Berryman (W)	Garrett	Mathews	Starnes
Bowers	Gloor	Mays	Steagall
Brannan	Graham	McCorquodale	Stembridge
Brassell	Grayson	McDonald	Stubbs
Brown	Hain	McElhaney	Tuck
Burgess	Hardin	Merrill	Turnham
Cherner	Harper	Money	Waggoner
Collier	Harris	Nettles	Watkins
Collins (C)	Headley	Owen (Baldwin)	Weeks
Collins (W)	Higginbotham	Owens (W)	Williams
Cook (Coffee)	Holman	Paulk	Wood
Crane	Jackson (F)	Pearson	Wright
Crawford	Jackson (T)	Pennington	Yeilding
Dill	Kilgore	Perloff	Young
Dobbs	Laxson	Pruitt	—79

And the bill:

S. 470 (with amendment). To change the method of compensating certain officers of Tallapoosa County; placing such officers on a salary basis at the expiration of certain terms and providing for the operation of their offices on such basis; providing that this act shall be subject to the ratification of a certain amendment to the Constitution and the approval of the voters of Tallapoosa County voting thereon.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 1 (a), strike out the figures—$16,000, and insert in lieu thereof the figures—$18,000

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Perloff
Agee	Drake	Kilgore	Pruitt
Bank	Edington	Laxson	Robertson
Bassett	Ellis	Lemley	Slate
Beck	Fine	Lybrand	Smith
Berryman (W)	Foshee	Lyons	Snell
Bolton	Gafford	Malone	Springer
Bowers	Garrett	Manley	Starnes
Brannan	Gloor	Marr	Steagall
Brassell	Graham	Mathews	Stembridge
Brown	Grayson	Mays	Stubbs
Burgess	Hain	McDonald	Tuck
Cherner	Hardin	Melton	Turnham
Collier	Harper	Merrill	Waggoner
Collins (C)	Harris	Money	Watkins
Cook (Coffee)	Headley	Nettles	Weeks
Crane	Higginbotham	Owen (Baldwin)	Williams
Crawford	Hobbie	Owens (W)	Wood
Culver	Holman	Paulk	Wright
Dill	House	Pearson	Yeilding
Dobbs	Jackson (F)	Pennington	Young

—84

And the bill, S. 470, as thus amended, was read a third time and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Perloff
Agee	Edington	Kilgore	Pruitt
Bank	Ellis	Laxson	Robertson
Bassett	Fine	Lemley	Sessions
Beck	Foshee	Lybrand	Slate
Berryman (W)	Gafford	Lyons	Smith
Bolton	Garrett	Malone	Snell
Bowers	Gloor	Manley	Springer
Brannan	Graham	Marr	Starnes
Brassell	Grayson	Mathews	Steagall
Brown	Hain	Mays	Stembridge
Burgess	Hardin	McDonald	Stubbs
Collier	Harper	Melton	Tuck
Collins (C)	Harris	Merrill	Waggoner
Cook (Coffee)	Headley	Money	Watkins
Crane	Higginbotham	Nettles	Weeks
Crawford	Hobbie	Owen (Baldwin)	Williams
Culver	Holladay	Owens (W)	Wood
Dill	Holman	Paulk	Wright
Dobbs	House	Pearson	Yeilding
Downing	Jackson (F)	Pennington	Young

—84

And the bill:

S. 491. To amend further Act No. 491, S. 444, Regular Session 1961, relating to cities having populations of not less than 60,000 nor more than 70,000 according to the most recent federal decennial census (Acts 1961, p. 563) so as to provide expense allowances for the chairman and associate members of the city commission.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lemley	Pruitt
Agee	Fine	Lybrand	Sessions
Bank	Foshee	Lyons	Shumate
Bassett	Gafford	Malone	Slate
Berryman (W)	Garrett	Manley	Smith
Bowers	Gloor	Marr	Snell
Brannan	Graham	Mathews	Springer
Brassell	Grayson	Mays	Starnes
Brown	Hain	McCorquodale	Steagall
Burgess	Hardin	McDonald	Stembridge
Cherner	Harper	McElhaney	Stubbs
Collier	Harris	Melton	Tuck
Collins (C)	Headley	Merrill	Turnham
Crane	Higginbotham	Money	Waggoner
Crawford	Hill	Nettles	Watkins
Culver	Hobbie	Owen (Baldwin)	Weeks
Dill	Holman	Owens (W)	Williams
Dobbs	House	Paulk	Wood
Downing	Jackson (F)	Pearson	Wright
Drake	Jackson (T)	Pennington	Yeilding
Edington	Kilgore	Perloff	Young

—84

And the bill:

H. 677 (with substitute). To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent Federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this State; to create a board to be known as the Plumbers Examining Board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said Plumbers Examining Board and their terms of office; to provide for the payment of compensation to the members of said Board and its employees; to define the powers conferred upon and the duties imposed upon said Board; to provide funds for the maintenance, operations and functions of said Board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumber apprentices; to provide for the payment of examination fees and certificate fees; to empower the Board to revoke certificates; to provide for appeals from the ruling of the Board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said Board, and to provide for penalties for the violation of this Act" so as to provide that a municipality having a population of 300,000 inhabitants or more according to the last or any subsequent Federal census

may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Local Legislation No. 2, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this state; to create a board to be known as the plumbers examining board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said plumbers examining board and their terms of office; to provide for the payment of compensation to the members of said board and its employees; to define the powers conferred upon and the duties imposed upon said board; to provide funds for the maintenance, operations and functions of said board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumbers apprentices; to provide for the payment of examination fees and certificate fees; to empower the board to revoke certificates; to provide for appeals from the ruling of the board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said board, and to provide for penalties for the violation of this Act"; so as to provide that municipalities having populations of lot less than 130,000 nor more than 200,000 and municipalities having populations of 300,000 or more according to the last or any subsequent federal census may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 1 of Act No. 529 of the 1949 Regular Session of the Legislature of Alabama, approved September 2, 1949 (Acts of Alabama, 1949, pages 827 et seq.) as amended be and said Section 1 is hereby amended to read as follows:

"Section 1. Definitions and Scope. This Act shall apply only in counties of this State having a population of not less than 150,000 according to the last or any subsequent federal census. "Plumbing" as used in this Act, is the installation, repair, or replacement of pipes, fixtures or other apparatus necessary either for supplying water or for removing liquid or water borne waste. The term is also used to denote installed fixtures, drainage, vents and water distribution systems inside buildings and structures. A "master plumber" within the meaning and for the purpose of this Act shall be held to mean and to include any person, firm or corporation engaged in or proposing to engage in, the business of doing, or contracting to do, or superintending the installation of, plumbing, either or both. If such applicant for registration, be an individual, he must either qualify himself to be a licensed master

plumber or must continually keep in his employ a duly registered and licensed master plumber, who shall be in continuous and responsible charge of the installation, alteration, repair and renovation of plumbing work for said individual. If such applicant for registration be a firm or unincorporated association, at least one (1) active member of such firm or unincorporated association must either qualify himself to be a licensed master plumber or the firm or unincorporated association must continually keep in its active employ a duly registered and licensed master plumber, who shall be in continuous and responsible charge of the installation, alteration, repair and renovation of the plumbing work for said firm or unincorporated association. If such applicant for registration be a corporation, at least one (1) active officer or stockholder of said corporation must either qualify himself to be a licensed master plumber or the corporation must keep in its active employ a duly registered and licensed master plumber who shall be in continuous and responsible charge of the installation, alteration, repair and renovation of plumbing work for said corporation.

"A 'journeyman plumber' within the meaning of this Act is any person other than a master plumber or plumber apprentice, as said terms are herein defined, who engages in or works at the actual installation, alteration, repair and renovation of plumbing and who has successfully passed and fulfilled the examination and requirements of the Board.

"A 'plumber apprentice' within the meaning of this Act is a person who is over the age of sixteen (16) years and who is engaged in learning the plumbing trade by working with and assisting a plumber in the layout, installation, maintenance and repair of plumbing and who has been examined and certified by the Board as hereinafter provided.

"This Act is not intended to and it should not be construed as a preemption by the Legislature of the subject matter set out herein within the corporate limits of any city of the state having a population of not less than 130,000 nor more than 200,000 inhabitants or within the corporate limits of any city of the state having a population of 300,000 inhabitants or more according to the last or any subsequent federal census. To the contrary, any such municipality in any county in which this Act applies shall have the power and authority to provide by Ordinance for an additional examination and certification of master plumbers, journeymen plumbers, plumber apprentices or any person, firm or corporation performing plumbing work, as defined in such Ordinance, in such municipality, and such municipality shall have the power and authority to adopt Ordinances relating to and regulating the performing of plumbing work in such municipality, provided that no such municipality shall certify to the competency of any plumber under any such Ordinance who has not also qualified under this Act. Any master plumber, journeyman plumber, plumber apprentice or other person qualified to perform plumbing work under this Act shall not be authorized to perform any such plumbing work in any such municipality which requires by Ordinance the examination or certification by such municipality or an agency, board or officer thereof of persons doing plumbing work therein unless such person has also qualified as required by such Ordinance."

Section 2. All laws or parts of laws which conflict with this Act are repealed to the extent of such conflict.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Pruitt
Adwell	Ellis	Kilgore	Robertson
Agee	Fine	Laxson	Sessions
Bank	Foshee	Lemley	Shumate
Bassett	Gafford	Lybrand	Slate
Berryman (W)	Garrett	Manley	Snell
Blanton	Gloor	Marr	Starnes
Bowers	Graham	Mathews	Steagall
Brannan	Grayson	Mays	Stembridge
Brassell	Hain	McCorquodale	Stubbs
Brown	Hardin	McDonald	Tuck
Burgess	Harper	McElhaney	Turnham
Cherner	Harris	Melton	Watkins
Collier	Haygood	Merrill	Weeks
Collins (C)	Headley	Nettles	Williams
Crane	Higginbotham	Owen (Baldwin)	Wood
Crawford	Hill	Owens (W)	Wright
Dill	Hobbie	Paulk	Yeilding
Dobbs	Holman	Pearson	Young
Downing	House	Pennington	
Drake	Jackson (F)	Perloff	—82

And the bill, H. 677, as thus amended:

To amend Act No. 529 of the 1949 Regular Session of the Legislature of Alabama approved September 2, 1949, (Acts of Alabama, 1949, pages 827 et seq.) entitled as heretofore amended, "An Act to apply in all counties of this state having a population of not less than 150,000 according to the last or any subsequent federal census and to provide for the protection of public health and safety in such counties by requiring persons to establish their competency as plumbers before doing or supervising plumbing in said counties in this state; to create a board to be known as the plumbers examining board; to define plumbing, master plumbers, journeymen plumbers, plumber apprentices and subjects related to plumbing; to provide for the appointment of members of said plumbers examining board and their terms of office; to provide for the payment of compensation to the members of said board and its employees; to define the powers conferred upon and the duties imposed upon said board; to provide funds for the maintenance, operations and functions of said board; to provide for the examination and certification of master plumbers, journeymen plumbers and plumbers apprentices; to provide for the payment of examination fees and certificate fees; to empower the board to revoke certificates; to provide for appeals from the ruling of the board; to provide for the execution and filing of bonds by plumbers; to provide for the collection, handling and disbursement of monies and funds received as fees by said board, and to provide for penalties for the violation of this Act"; so as to provide that municipalities having populations of not less than 130,000 nor more than 200,000 and municipalities having populations of 300,000 or more according to the last or any subsequent federal census may require additional examination, certification and regulation of plumbers doing plumbing work within the corporate limits of such cities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Perloff
Adwell	Drake	Kilgore	Pruitt
Agee	Edington	Laxson	Robertson
Bank	Fine	Lemley	Sessions
Bassett	Foshee	Lybrand	Shumate
Berryman (W)	Gafford	Lyons	Slate
Blanton	Garrett	Manley	Snell
Bolton	Gloor	Marr	Springer
Bowers	Graham	Mathews	Starnes
Brannan	Grayson	Mays	Steagall
Brassell	Hain	McCorquodale	Stembridge
Brown	Hardin	McDonald	Stubbs
Burgess	Harper	McElhaney	Tuck
Cherner	Harris	Meeks	Turnham
Collier	Haygood	Melton	Watkins
Collins (C)	Headley	Merrill	Weeks
Cook (Coffee)	Hill	Nettles	Williams
Crane	Hobbie	Owen (Baldwin)	Wood
Crawford	Holladay	Owens (W)	Wright
Culver	Holman	Paulk	Yeilding
Dill	House	Pearson	Young
Dobbs	Jackson (F)		

—86

And the bill:

H. 1037. To repeal Act No. 558, House 1070, Regular Session, 1931, (Acts 1931, p. 1653), as amended, which relates to the Jefferson County Board of Cosmetological Examiners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Pruitt
Adwell	Edington	Kilgore	Robertson
Agee	Ellis	Laxson	Sessions
Bassett	Fine	Lemley	Shumate
Berryman (W)	Foshee	Lybrand	Slate
Blanton	Gafford	Lyons	Smith
Bowers	Garrett	Manley	Snell
Brannan	Gloor	Marr	Springer
Brassell	Graham	Mathews	Starnes
Brown	Grayson	Mays	Steagall
Burgess	Hain	McCorquodale	Stembridge
Cherner	Hardin	McDonald	Stubbs
Collier	Harper	McElhaney	Tuck
Collins (C)	Harris	Meeks	Turnham
Cook (Coffee)	Haygood	Melton	Waggoner
Cook (Jefferson)	Headley	Merrill	Watkins
Crane	Hill	Nettles	Weeks
Crawford	Hobbie	Owen (Baldwin)	Williams
Culver	Holladay	Owens (W)	Wood
Dill	Holman	Paulk	Wright
Dobbs	House	Pearson	Yeilding
Downing	Jackson (F)	Perloff	Young

—88

MOTION TO BRING UP H. 119 LOST

The motion of Mr. Perloff to suspend the rules and bring up the bill, H. 119, was lost.

Yeas 48; Nays 29.

Yeas:

Mr. Speaker	Dobbs	Lyons	Pruitt
Bank	Downing	Manley	Robertson
Blanton	Drake	Marr	Shumate
Bolton	Edington	Mays	Slate
Brannan	Ellis	McLain	Smith
Brassell	Fine	Meeks	Snell
Cameron	Graham	Melton	Steagall
Cherner	Grayson	Nettles	Tuck
Collins (C)	Hain	Owen (Baldwin)	Waggoner
Collins (W)	Hill	Owens (W)	Williams
Cook (Jefferson)	Holman	Pennington	Wood
Culver	House	Perloff	Young

—48

Nays:

Messrs.:	Gloor	Laxson	Merrill
Agee	Hardin	Lemley	Springer
Bassett	Harris	Lybrand	Stembridge
Berryman (W)	Headley	Malone	Stubbs
Crawford	Higginbotham	McCorquodale	Turnham
Dill	Hobbie	McDonald	Wright
Foshee	Jackson (F)	McElhaney	Yeilding
Garrett	Jackson (T)		

—29

And the bill:

H. 109. To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

Was taken up.

UNANIMOUS CONSENT GRANTED TO CO-SPONSORS

Unanimous consent was granted to Messrs. Burgess and Drake to be shown as co-sponsors on the bill, H. 109.

Mr. Gloor offered the following amendment to the bill, H. 109:

Add after the last sentence of Section 3, the following: Provided, however, that the provisions of this act shall not apply to individuals, corporations, partnerships, or other business enterprises engaged in providing custodial, janitorial, and cleaning services of public buildings in this State.

MOTION TO TABLE LOST

The motion of Mr. Marr to table the amendment offered by Mr. Gloor was lost.

Yeas 25; Nays 59.

Yeas:

Messrs.:	Edington	Lyons	Perloff	
Brassell	Graham	Malone	Robertson	
Burgess	Grayson	Marr	Shumate	
Cameron	Haygood	Mays	Slate	
Doss	Headley	Owen (Baldwin)	Watkins	
Downing	Hill	Pennington	Wood	
Drake	Hobbie			—25

Nays:

Mr. Speaker	Dobbs	Laxson	Pruitt	
Adwell	Ellis	Lemley	Sessions	
Agee	Fine	Manley	Springer	
Bassett	Foshee	McCorquodale	Starnes	
Bowers	Gafford	McDonald	Steagall	
Brannan	Garrett	McElhaney	Stembridge	
Brown	Gloor	McLain	Stubbs	
Cherner	Hain	Meeks	Tuck	
Collins (W)	Hardin	Melton	Turnham	
Cook (Coffee)	Harris	Merrill	Waggoner	
Cook (Jefferson)	Higginbotham	Money	Weeks	
Crane	Holman	Nettles	Williams	
Crawford	Jackson (F)	Neville	Wright	
Culver	Jackson (T)	Paulk	Yeilding	
Dill	Kilgore	Pearson		—59

And the amendment was adopted.

Yeas 67; Nays 13.

Yeas:

Mr. Speaker	Edington	Malone	Pruitt	
Adwell	Ellis	Manley	Shumate	
Agee	Fine	Mathews	Slate	
Bassett	Foshee	Mays	Springer	
Blanton	Garrett	McCorquodale	Starnes	
Bowers	Gloor	McDonald	Steagall	
Brannan	Hain	McElhaney	Stembridge	
Burgess	Hardin	McLain	Stubbs	
Cherner	Harris	Meeks	Tuck	
Collier	Holladay	Melton	Turnham	
Collins (W)	Holman	Merrill	Waggoner	
Cook (Coffee)	Jackson (F)	Money	Weeks	
Cook (Jefferson)	Jackson (T)	Nettles	Williams	
Crawford	Kilgore	Neville	Wright	
Culver	Laxson	Paulk	Yeilding	
Dobbs	Lemley	Pearson	Young	
Doss	Lybrand	Pennington		—67

Nays:

Messrs.:	Grayson	House	Perloff	
Brown	Haygood	Lyons	Robertson	
Downing	Hill	Marr	Wood	
Graham	Hobbie			—13

MOTION TO INDEFINITELY POSTPONE LOST

The motion of Mr. Higginbotham that the bill, H. 109, be indefinitely postponed was lost.

Yeas 31; Nays 60.

Yeas:

Messrs.:	Crawford	Lemley	Sessions
Bassett	Dill	McElhaney	Snell
Blanton	Garrett	Melton	Springer
Bowers	Hain	Money	Steagall
Brannan	Hardin	Nettles	Stembridge
Cherner	Harris	Owens (W)	Tuck
Collins (C)	Higginbotham	Paulk	Waggoner
Cook (Jefferson)	Holladay	Pruitt	Yeilding

—31

Nays:

Mr. Speaker	Downing	Jackson (T)	Owen (Baldwin)
Agee	Drake	Laxson	Pearson
Bank	Edington	Lybrand	Pennington
Beck	Ellis	Lyons	Perloff
Berryman (W)	Fine	Malone	Robertson
Bolton	Foshee	Manley	Shumate
Brassell	Graham	Marr	Slate
Brown	Grayson	Mathews	Smith
Burgess	Haygood	Mays	Starnes
Cameron	Headley	McCorquodale	Stubbs
Collins (W)	Hill	McDonald	Watkins
Cook (Coffee)	Hobbie	McLain	Williams
Culver	Holman	Meade	Wood
Dobbs	House	Merrill	Wright
Doss	Jackson (F)	Neville	Young

—60

Mr. Higginbotham offered the following substitute to the bill, H. 109, as amended:

To require the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, departments or boards; to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith, subject to the judicial review contained in the Act; to set forth the method of making the determination of "prevailing wages," and the persons who are to make such determination; to provide for judicial review of such determination of prevailing wages by any contractor desiring to enter into a contract with the State of Alabama or any agency, department or board thereof, who is dissatisfied with the specification of wages contained in such contract; to provide for the method of such judicial review and to specify such judicial proceedings.

Be It Enacted by the Legislature of Alabama:

Section 1. The advertised specifications for every contract in excess of Two Thousand Dollars ($2,000.00) to which the State of Alabama or any agency, department or board is a party, for construction, alteration, and/or repair, including painting and decorating, of public buildings or public works of the State of Alabama or any agency, department or board thereof, and which requires or involves the employment of mechanics and/or laborers shall contain (subject to exceptions hereinafter specified) a provision stating the minimum wages, to be paid various classes of laborers and mechanics which shall be based upon the wages determined in the manner and subject to review procedures hereinafter specified, to be prevailing for the corresponding classes of laborers and mechanics employed on projects of a character similar to the contract work in the city, town, village or other civil subdivision

of the state, in which the work is to be performed; and every contract based upon these specifications shall contain a stipulation that the contractor or his subcontractor shall pay all mechanics and laborers employed directly upon site of the work, unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account, the full amounts accrued to the time of the weekly accounting period usually applied by the contractor or subcontractor at time of payment, computed at wage rates not less than those stated in the advertised specifications (subject to exceptions hereinafter specified), regardless of any contractual relationship which may be alleged to exist between the contractor or subcontractor and such laborers and mechanics, and that the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work; and the further stipulation that there may be withheld from the contractor so much of accrued payments as may be considered reasonably necessary by the contracting official of the State of Alabama in charge of the work project for the State of Alabama, or any agency, department, or board thereof, to pay to laborers and mechanics employed by the contractor or any subcontractor on the work the difference between the rates of wages required by the contract to be paid laborers and mechanics on the work and the rates of wages received by such laborers and mechanics and not refunded to the contractor, subcontractor or their agents.

Section 2. Every contract within the scope of this Act shall contain the further provision that in the event it is found by the contracting official of the department, agency or board of the State of Alabama letting the contract that any laborer or mechanic employed by the contractor or any subcontractor directly on the site of the work covered by the contract has been or is being paid a rate of wages less than the rate of wages required by the contract to be paid as aforesaid, the State of Alabama or its department, agency or board letting the contract may, by written notice to the contractor, terminate his right to proceed with the work or such part of the work as to which there has been a failure to pay said required wages and to prosecute the work to completion by contract or otherwise, and the contractor and its sureties shall be liable to the State of Alabama, or its department, agency or board, as the case may be, for any excess costs occasioned thereby, unless, within fifteen days from the date of receipt of such written notice, such contractor or subcontractor shall pay the rate of wages required by the contract to be paid as aforesaid, and shall make such back payment of wages as may be due to any laborers or mechanics by virtue of the prior failure to pay the rate of wages so specified in said contract.

Section 3. The State, or its department, agency or board in charge of letting the particular contract involved is authorized and directed to pay directly to laborers and mechanics from any accrued payments withheld under the terms of the contract any wages found to be due laborers and mechanics pursuant to this Act. If the accrued payments withheld under the terms of the contract as aforesaid, are insufficient to reimburse all the laborers and mechanics with respect to whom there has been a failure to pay the wages required pursuant to this Act, such laborers and mechanics shall have the right of action and/or of intervention against the contractor and his sureties conferred by law upon persons furnishing labor or materials, and in such proceedings, it shall be no defense that such laborers and mechanics accepted or agreed to accept less than the required rate of wages or voluntarily made refunds.

Section 4. The fact that any contract is authorized to be entered into without advertising for proposals shall not be construed to render inapplicable the provisions of this Act.

Section 5. "Prevailing Wages" within the meaning of this Act shall be determined jointly by the Director of Labor of the State of Alabama; the Mayor or other chief executive officer of the city (if the work is to be performed within the corporate limits of a city) or other subdivision of the state in which the work is to be performed; and one licensed general contractor or the chief executive officer of a licensed general contractor corporation, who or which has a principal place of business within 50 miles of the site at which the work is to be performed, to be selected jointly by the said Director and the said Mayor or chief executive officer. The choice of such licensed general contractor or officer of a licensed general contractor corporation in the manner aforesaid shall be from a list of licensed general contractors or licensed general contractor corporations furnished by the licensed general contractors or licensed general contractor corporations doing business within the city (as above defined) or other subdivision of the state in which the work is to be performed and within 50 miles thereof; such licensed general contractor or licensed general contractor corporation to be eligible for such appointment shall be currently engaged in the usual course of business in construction of the type and classification contemplated by the work project to be performed; and no person who has been convicted of a crime involving moral turpitude in any court of any state or of the United States, shall be eligible for such appointment. The results of such determination in the locality in which the contract work is to be performed shall be published and posted by the Director of Labor of the State of Alabama from time to time. The determination of prevailing wages for purposes of this Act shall be made within thirty days before the specifications are advertised or publicized for any contract and the contract must be filed within 90 days thereafter; if not, another determination, made in the manner contemplated by this section, shall be undertaken for utilization in such contract. In making such determination, these three persons may examine any pertinent data or facts which they may deem relevant and proper to the determination. Notification of all determinations made pursuant to this section shall be mailed to all general contractors licensed by the State of Alabama.

Section 6. Any contractor desiring to enter into a contract with the State of Alabama or any agency, department or board thereof within the scope of the requirements of this Act who is dissatisfied with the specifications of wages contained in such contract, which, pursuant to section 1 of this Act, shall have been based upon wages determined by the next preceding section to be prevailing for purposes of this Act, may appeal from such determination to the circuit court of Montgomery County, sitting in equity, and thence to the supreme court of Alabama. All such appeals to the circuit court shall be taken within thirty days from the date of such determination and shall be granted as a matter of right and be deemed perfected by filing with the register of the circuit court of Montgomery County a notice of appeal and a bond for security of costs of said appeal to be approved by the register. The proceedings in the circuit court shall be de novo and the three persons who have heretofore determined the prevailing wage shall be parties respondent therein, except that if one of the said three persons dissents from the majority determination, that person shall not be made a party respondent. The circuit court in equity may take and consider any new or additional evidence which is legal and relevant and shall determine whether the prevailing wage so determined pursuant to the provisions of Section 5 of this Act is correct; and, if the court deems such determination incorrect and not the prevailing wage for corresponding classes of laborers and mechanics employed on projects of a similar character to the contract work in the city, town, village, or other civil subdivision of the state in which the work is to be performed, the circuit court shall fix the amount of such prevailing wages.

From the judgment of the circuit court in equity, either the contractor or the respondents may appeal direct to the supreme court of Alabama within thirty days from the rendition of judgment; and the contractor shall give security for the cost of such appeal to be approved by the register of the circuit court. The supreme court of Alabama on appeal to it may fix the amount of such prevailing wage. If the contractor is successful on such an appeal either to the circuit court or the supreme court of Alabama pursuant to this section, such contractor shall be entitled to all expenses and costs of the court proceedings, including a reasonable attorney's fee and all damages proximately caused by the erroneous determination of prevailing wages; and all of said expenses, costs, attorney's fees and damages shall be taxed against respondents, paid as costs of court to the register, and thereafter disbursed by him to the prevailing contractor.

Section 7. No appeal pursuant to the preceeding section of this Act from a determination of prevailing wages shall stay or supersede the said determination appealed from unless the appealing contractor shall obtain an order of supersedeas from the circuit court of Montgomery County in equity in the following manner. Such contractor, shall under oath state the estimated approximate amount by which the prevailing wages, determined pursuant to section 5, exceeds the actual prevailing wages in the relevant locality, and, accordingly, the estimated amount by which the specification of wages in the particular contract is excessive over a period of six months by reason of the excessive determination of prevailing wages complained of. The contractor shall then execute and file with the register of said court a bond which shall be in double the sum so estimated with two or more sureties, one of which may be a corporate surety company, to be approved by the judge, payable to the State of Alabama and conditioned to pay all such loss or damage as any laborer or mechanic employed by the contractor or any subcontractor directly on the site of the work covered by the contract may sustain by virtue of the payment of wages lower than those determined to be prevailing pursuant to section 5, pending the outcome of said appeal to the circuit court in equity or any subsequent appeal to the supreme court of Alabama. An additional bond of like amount and with the same conditions shall be given at the end of each six months pending the appeal to the circuit court in equity and pending any subsequent appeal by either party to the supreme court of Alabama.

Section 8. Upon the filing of the affidavit and bond pursuant to the next preceding section of this Act, the circuit court in equity shall enter an order of supersedeas or stay, the effect of which shall be that from the time said bond shall have been given, the determination appealed from shall be stayed and superseded and, any provisions of this Act to the contrary notwithstanding, it shall be lawful for any contractor to pay pursuant to any contract within the scope of this Act the wages specified in the affidavit given under the next preceding section to be the actual relevant prevailing wages until the final disposition of said appeal. If such contractor shall fail after thirty days' written notice from the Director of Labor to give such additional bond at the end of each six months, pending said appeal to the circuit court in equity and pending any subsequent appeal to the supreme court of Alabama, the stay or supersedeas shall terminate, and the prevailing wages deemed by the determining authorities under Section 5 or by the circuit court in equity, as the case may be, shall be revived and shall be the lawful prevailing wages for all purposes of this Act pending all further proceedings in the cause. Any fees or other expenses for obtaining of such supersedeas bond shall be taxable as costs, pursuant to Section 6, if the contractor is successful on appeal.

Section 9. The sections and provisions of this statute are severable. If any part of the Act is declared unconstitutional, such declaration

shall not affect the part or parts which remain and the rest of said Act so remaining shall continue in full force and effect.

Section 10. All laws or parts of laws which are inconsistent or conflict herewith are hereby repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

MOTION TO TABLE LOST

The motion of Mr. Marr to table the substitute to the bill, H. 109, offered by Mr. Higginbotham, was lost.

Yeas 42; Nays 52.

Yeas:

Mr. Speaker	Culver	House	Perloff
Agee	Doss	Lyons	Robertson
Bank	Downing	Malone	Shumate
Beck	Drake	Marr	Slate
Berryman (W)	Ellis	Mathews	Starnes
Brassell	Graham	McCorquodale	Stubbs
Brown	Grayson	McLain	Watkins
Burgess	Haygood	Meade	Williams
Cameron	Headley	Merrill	Wood
Collins (W)	Hill	Owen (Baldwin)	Wright
Cook (Coffee)	Hobbie		—42

Nays:

Messrs.:	Edington	Lemley	Pennington
Adwell	Foshee	Lybrand	Pruitt
Bassett	Garrett	Manley	Sessions
Blanton	Hain	Mays	Smith
Bolton	Hardin	McElhaney	Snell
Bowers	Harris	Meeks	Springer
Brannan	Higginbotham	Melton	Steagall
Cherner	Holladay	Money	Stembridge
Collins (C)	Holman	Nettles	Tuck
Cook (Jefferson)	Jackson (F)	Neville	Turnham
Crane	Jackson (T)	Owens (W)	Waggoner
Crawford	Kilgore	Paulk	Yeilding
Dill	Laxson	Pearson	Young
Dobbs			—52

And the substitute offered by Mr. Higginbotham was lost.

Yeas 40; Nays 48.

Yeas:

Messrs.:	Gafford	Lemley	Paulk
Adwell	Garrett	Manley	Pennington
Bassett	Gloor	McDonald	Pruitt
Blanton	Hain	McElhaney	Sessions
Bowers	Hardin	Meeks	Snell
Brannan	Harris	Melton	Springer
Cherner	Higginbotham	Money	Steagall
Collins (C)	Holladay	Nettles	Tuck
Cook (Jefferson)	Holman	Neville	Turnham
Crawford	Jackson (T)	Owens (W)	Yeilding
Dill			—40

Nays:

Mr. Speaker	Culver	Hill	Owen (Baldwin)
Agee	Dobbs	Hobbie	Pearson
Bank	Doss	House	Perloff
Beck	Downing	Jackson (F)	Robertson
Berryman (W)	Drake	Lyons	Shumate
Bolton	Edington	Malone	Slate
Brassell	Ellis	Marr	Starnes
Brown	Foshee	Mays	Stubbs
Burgess	Graham	McCorquodale	Williams
Cameron	Grayson	McLain	Wood
Collins (W)	Haygood	Meade	Wright
Cook (Coffee)	Headley	Merrill	Young

—48

Mr. Higginbotham moved that the bill, H. 109, be carried over to the twenty-third legislative day.

On motion of Mr. Marr, the motion of Mr. Higginbotham to carry over was tabled.

Yeas 54; Nays 36.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owen (Baldwin)
Agee	Doss	Laxson	Pearson
Bank	Downing	Lemley	Pennington
Beck	Drake	Lybrand	Perloff
Berryman (W)	Edington	Lyons	Robertson
Bolton	Ellis	Malone	Shumate
Brassell	Foshee	Marr	Slate
Brown	Graham	Mathews	Starnes
Burgess	Grayson	Mays	Stubbs
Cameron	Haygood	McCorquodale	Williams
Collier	Headley	McLain	Wood
Collins (W)	Hill	Meade	Wright
Cook (Coffee)	Hobbie	Merrill	Young
Culver	House		

—54

Nays:

Messrs.:	Garrett	McElhaney	Sessions
Adwell	Gloor	Meeks	Snell
Bassett	Hain	Melton	Springer
Blanton	Hardin	Money	Steagall
Bowers	Harris	Nettles	Stembridge
Cherner	Higginbotham	Neville	Tuck
Collins (C)	Holman	Owens (W)	Turnham
Crane	Jackson (T)	Paulk	Waggoner
Crawford	McDonald	Pruitt	Watkins
Gafford			

—36

Mr. Meeks offered the following amendment to the bill, H. 109, as amended:

Amend Section 2 Subsection 1 by adding the following to the sentence: except for those contracts whereby the Highway Department is the awarding authority the term Director means the Highway Director or his duly authorized deputy or representatives.

The motion of Mr. Marr to table the amendment offered by Mr. Meeks was lost.

Yeas 42; Nays 46.

Yeas:

Mr. Speaker	Cook (Coffee)	House	Pearson	
Agee	Culver	Lemley	Pennington	
Bank	Dobbs	Lyons	Perloff	
Beck	Downing	Malone	Robertson	
Berryman (W)	Drake	Marr	Shumate	
Bolton	Edington	Mays	Slate	
Brassell	Graham	McLain	Stubbs	
Brown	Haygood	Meade	Wood	
Burgess	Headley	Merrill	Wright	
Cameron	Hill	Owen (Baldwin)	Young	
Collins (W)	Hobbie			—42

Nays:

Messrs.:	Ellis	Jackson (T)	Pruitt	
Adwell	Foshee	Manley	Sessions	
Bassett	Gafford	McCorquodale	Snell	
Bowers	Garrett	McDonald	Springer	
Brannan	Grayson	McElhaney	Starnes	
Cherner	Hain	Meeks	Steagall	
Collier	Hardin	Melton	Tuck	
Collins (C)	Harris	Money	Turnham	
Cook (Jefferson)	Higginbotham	Nettles	Waggoner	
Crane	Holladay	Neville	Watkins	
Crawford	Holman	Owens (W)	Yeilding	
Dill	Jackson (F)	Paulk		—46

And the amendment offered by Mr. Meeks to the bill, H. 109, as amended, was lost.

Yeas 46; Nays 47.

Yeas:

Messrs.:	Dill	Jackson (F)	Pruitt	
Adwell	Ellis	Jackson (T)	Sessions	
Bassett	Foshee	Manley	Snell	
Blanton	Gafford	McDonald	Springer	
Bowers	Garrett	McElhaney	Steagall	
Brannan	Gloor	Meeks	Stembridge	
Cherner	Hain	Melton	Tuck	
Collier	Hardin	Money	Turnham	
Collins (C)	Harris	Nettles	Waggoner	
Cook (Jefferson)	Higginbotham	Neville	Watkins	
Crane	Holladay	Owens (W)	Yeilding	
Crawford	Holman	Paulk		—46

Nays:

Mr. Speaker	Culver	House	Pennington	
Agee	Dobbs	Laxson	Perloff	
Bank	Doss	Lemley	Robertson	
Beck	Downing	Lyons	Shumate	
Berryman (W)	Drake	Marr	Slate	
Bolton	Edington	Mays	Starnes	
Brassell	Graham	McCorquodale	Stubbs	
Brown	Grayson	McLain	Williams	
Burgess	Haygood	Meade	Wood	
Cameron	Headley	Merrill	Wright	
Collins (W)	Hill	Owen (Baldwin)	Young	
Cook (Coffee)	Hobbie	Pearson		—47

Mr. Higginbotham moved that the bill, H. 109, be carried over to the twenty-second legislative day.

On motion of Mr. Marr, the motion of Mr. Higginbotham to carry over was tabled.

Yeas 55; Nays 41.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Agee	Doss	Laxson	Pennington
Bank	Downing	Lemley	Perloff
Beck	Drake	Lybrand	Robertson
Berryman (W)	Edington	Lyons	Shumate
Bolton	Ellis	Malone	Slate
Brassell	Foshee	Marr	Smith
Brown	Graham	Mathews	Starnes
Burgess	Grayson	Mays	Stubbs
Cameron	Haygood	McCorquodale	Williams
Collins (C)	Headley	McLain	Wood
Collins (W)	Hill	Meade	Wright
Cook (Coffee)	Hobbie	Merrill	Young
Culver	House	Owen (Baldwin)	—55

Nays:

Messrs.:	Dill	McDonald	Sessions
Adwell	Fine	McElhaney	Snell
Bassett	Gafford	Meeks	Springer
Blanton	Garrett	Melton	Steagall
Bowers	Hain	Money	Stembridge
Brannan	Hardin	Nettles	Tuck
Cherner	Harris	Neville	Turnham
Collier	Higginbotham	Owens (W)	Waggoner
Cook (Jefferson)	Holladay	Paulk	Watkins
Crane	Holman	Pruitt	Yeilding
Crawford	Manley		—41

And the bill, H. 109, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 32.

Yeas:

Mr. Speaker	Dobbs	Laxson	Neville
Agee	Doss	Lemley	Owen (Baldwin)
Bank	Downing	Lybrand	Pearson
Beck	Drake	Lyons	Pennington
Berryman (W)	Edington	Malone	Perloff
Bolton	Ellis	Marr	Robertson
Brannan	Foshee	Mathews	Shumate
Brassell	Graham	Mays	Slate
Brown	Grayson	McCorquodale	Starnes
Burgess	Haygood	McDonald	Stubbs
Cameron	Headley	McLain	Williams
Collins (C)	Hill	Meade	Wood
Collins (W)	Hobbie	Meeks	Wright
Cook (Coffee)	House	Melton	Young
Culver	Jackson (F)	Merrill	—59

Nays:

Messrs.:	Garrett	McElhaney	Snell
Adwell	Hain	Money	Springer
Bassett	Hardin	Nettles	Steagall
Blanton	Harris	Owens (W)	Tuck
Bowers	Higginbotham	Paulk	Turnham
Cherner	Holladay	Pruitt	Waggoner
Crawford	Holman	Sessions	Watkins
Dill	Manley	Smith	Yeilding
Gafford			

—32

H. 778 RESUMED FROM TWENTIETH LEGISLATIVE DAY

And the bill:

H. 778 (with amendment). To propose an amendment to the Constitution of Alabama to authorize the Legislature to provide a Pension Fund for the Fire Fighters in Alabama and to levy a tax in support thereof.

Was taken up.

Mr. Sessions offered the following amendment to the bill, H. 778, as amended:

In Section 1 strike out the following words, "the levy or assessment of additional taxes" and insert in lieu thereof the following: by diverting to such pension fund one-eighth of the tax levied pursuant to Title 51, Section 816 (a), as amended,

On motion of Mr. Cook (Coffee), the amendment offered by Mr. Sessions was tabled.

Yeas 65; Nays 19.

Yeas:

Mr. Speaker	Dobbs	House	Pennington
Agee	Doss	Jackson (F)	Perloff
Bank	Downing	Jones	Robertson
Bassett	Drake	Laxson	Shumate
Beck	Edington	Lemley	Slate
Brannan	Fine	Lyons	Snell
Brassell	Foshee	Marr	Starnes
Brown	Garrett	Mays	Steagall
Burgess	Graham	McCorquodale	Stembridge
Cameron	Hardin	McElhaney	Stubbs
Collier	Harper	Meade	Turnham
Collins (W)	Harris	Melton	Watkins
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Neville	Wood
Crane	Hill	Owen (Baldwin)	Wright
Crawford	Hobbie	Pearson	Young
Culver			

—65

Nays:

Messrs.:	Collins (C)	Holladay	Meeks
Adwell	Ellis	Holman	Nettles
Blanton	Gafford	Kilgore	Owens (W)
Bolton	Grainger	Malone	Springer
Cherner	Grayson	Mathews	Yeilding

—19

And the bill, H. 778, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 8.

Yeas:

Mr. Speaker	Dobbs	Hobbie	Pearson
Adwell	Doss	House	Pennington
Agee	Downing	Jackson (F)	Perloff
Bank	Drake	Jones	Pruitt
Bassett	Edington	Kilgore	Robertson
Beck	Ellis	Laxson	Shumate
Blanton	Fine	Lemley	Slate
Bolton	Foshee	Lybrand	Snell
Brannan	Garrett	Manley	Steagall
Brassell	Graham	Marr	Stembridge
Brown	Grainger	Mays	Stubbs
Burgess	Grayson	McCorquodale	Tuck
Cameron	Hain	McElhaney	Turnham
Collier	Hardin	Meade	Watkins
Collins (C)	Harper	Melton	Weeks
Collins (W)	Harris	Merrill	Williams
Cook (Coffee)	Haygood	Money	Wood
Crane	Headley	Neville	Wright
Crawford	Higginbotham	Owen (Baldwin)	Young
Culver	Hill	Owens (W)	—79

Nays:

Messrs.:	Lyons	Meeks	Smith
Cherner	Mathews	Nettles	Springer
Holladay			—8

And the bill:

H. 779. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Was taken up.

Mr. Young offered the following amendment to the bill, H. 779:

In the title, in the last clause thereof, strike out the following words and figures, "and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards," and insert in lieu thereof the following: to provide for financing the fund,

Also strike out Section 9 in its entirety and insert in lieu thereof the following:

Section 9. The State, each municipality and each other political subdivision of the state which maintains a fire department and regularly employs fire fighters or for which volunteer fire fighters are enrolled shall provide for matching contributions made by fire fighters and others to such pension fund in such manner that the state, the municipality or other political subdivision will pay one-half of each pension awarded under this Act and one-half thereof shall be derived from the funds contributed therefor by fire fighters or otherwise contributed to such fund.

On motion of Mr. Cook (Coffee), the amendment offered by Mr. Young was tabled.

Yeas 73; Nays 14.

Yeas:

Mr. Speaker	Culver	Hobbie	Perloff
Agee	Dobbs	Jackson (F)	Pruitt
Bank	Doss	Jones	Robertson
Bassett	Downing	Laxson	Shumate
Beck	Drake	Lyons	Slate
Berryman (W)	Edington	Manley	Snell
Blanton	Ellis	Marr	Springer
Bolton	Foshee	Mays	Starnes
Brannan	Graham	McCorquodale	Steagall
Brassell	Grainger	McElhaney	Stembridge
Brown	Grayson	Meade	Stubbs
Burgess	Hardin	Melton	Tuck
Cameron	Harper	Merrill	Turnham
Collier	Harris	Neville	Waggoner
Collins (W)	Haygood	Owen (Baldwin)	Watkins
Cook (Coffee)	Headley	Paulk	Williams
Cook (Jefferson)	Higginbotham	Pearson	Wood
Crane	Hill	Pennington	Wright
Crawford			—73

Nays:

Messrs.:	Fine	Jackson (T)	Money
Adwell	Garrett	Lemley	Nettles
Cherner	Gloor	Malone	Owens (W)
Collins (C)	Holladay	Mathews	—14

And the bill, H. 779, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 4.

Yeas:

Mr. Speaker	Cameron	Drake	Harris
Adwell	Collier	Edington	Haygood
Agee	Collins (C)	Ellis	Headley
Bank	Collins (W)	Fine	Higginbotham
Bassett	Cook (Coffee)	Foshee	Hill
Beck	Cook (Jefferson)	Garrett	Hobbie
Berryman (W)	Crane	Gloor	House
Blanton	Crawford	Graham	Jackson (F)
Bolton	Culver	Grainger	Jackson (T)
Brannan	Dill	Grayson	Jones
Brassell	Dobbs	Hain	Laxson
Brown	Doss	Hardin	Lemley
Burgess	Downing	Harper	Lybrand

Manley	Money	Robertson	Stubbs
Marr	Neville	Sessions	Tuck
Mays	Owen (Baldwin)	Shumate	Turnham
McCorquodale	Owens (W)	Slate	Watkins
McDonald	Paulk	Snell	Weeks
McElhaney	Pearson	Springer	Williams
Meade	Pennington	Starnes	Wood
Melton	Perloff	Steagall	Wright
Merrill	Pruitt	Stembridge	Young

—88

Nays:

Messrs.:	Holladay	Nettles	Smith
Gafford			

—4

RESOLUTION

The following resolution was introduced:

By Messrs. Grainger, Laxson, Jones, McLain and Pennington:

H. J. R. 87. WHEREAS, At 9:56 p.m. on July 20, 1969, man took the longest step in his history and opened a new frontier in the heavens. Apollo 11 transformed the dreams of man for uncounted years into the reality of history's greatest adventure. In the name of peace, American astronauts made the first epic voyage into the ocean of space for the benefit of all mankind. And in the realization of an eight-year national commitment to become first in space, America recorded the world's greatest scientific achievement and inspired people everywhere. The product of centuries of scientific conjecture and experimentation, it was achieved through the creativity and dedication of the greatest task force ever assembled for a peaceful purpose. Its primary purpose, and its greatest payoff, is to be described as the search for knowledge; and

WHEREAS, Alabama played a role unsurpassed by any state in leading America to the forefront of the Space Age. The first American satellite was placed into orbit by Explorer I, built in Huntsville, Alabama. The first American in space, Alan Shepard, was powered on his flight by a Redstone rocket. Marshall Space Flight Center, largest of all National Aeronautics and Space Administration installations, has developed the huge Saturn launch vehicles which have carried man beyond earth orbit and to the moon. Practically every county in Alabama is represented in the Marshall Center's large force of scientists, engineers, and technicians. More than one-third of the Center's professional personnel hold degrees from Alabama institutions of higher learning. The space business is Alabama's largest business and its economic and technological benefits are realized throughout the state; and

WHEREAS, Huntsville's first citizen, Dr. Wernher von Braun, has led the development of rocketry from its infancy to the Cosmic Age and has achieved international renown as the world's greatest rocket development leader since he and his team of rocket experts moved to Huntsville in the early 1950s; and

WHEREAS, In landing on the moon man has arrived at his first way-station in his journeys to the stars, the first of many mountains to be climbed in the future. The vigorous spirit which has brought American pre-eminence among space-faring nations will continue to kindle other scientific breakthroughs. Further planetary exploration will tell man still more about himself and his universe. An orbiting space station will add other new dimensions of scientific achievement: photographs and remote sensing devices can spot disease in crops and forests; locate underground water, oil, and minerals; help find fish in

oceans; update maps; detect dumping of wastes into streams; measure ice and snow for better water management of lakes and reservoirs and for reducing the ravages of floods; measure soil fertility and salinity; and predict crop yields on a worldwide basis to help match supply with demand and prevent famine. The post-Apollo space research commitment can continue to enhance the lives of all men on earth through new products and services which "spin-off" from the original discovery. The dramatic lunar landing of July, 1969, can be a new beginning toward still more fantastic achievements.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we heartily commend the hundreds of thousands of Americans whose creativity and dedication made possible man's greatest scientific achievement, and particularly Dr. von Braun and his outstanding team at Huntsville. We offer our prayers to Astronauts Armstrong, Aldrin, and Collins for their safe return to earth and our gratitude to each of them for their signal achievement. We take cognizance of the fact that the discoveries, the advances in technology and the applications of knowledge which are within our reach during the post-Apollo years of space exploration can far exceed the remarkable first decade of the Space Age and we encourage the President and the Congress of the United States to continue our nation's resolve to remain first in space and in scientific achievement.

BE IT FURTHER RESOLVED That copies of this resolution be furnished Dr. Wernher von Braun, President Richard M. Nixon, and all members of Congress from Alabama.

On motion of Mr. Grainger, the rules were suspended and H. J. R. 87 was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

H. 889 (with amendment). To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted at the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1967 of the Legislature.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

The title of House Bill 889 is amended by deleting "1967" in the last line of the title and inserting in lieu thereof "1963".

And the amendment was adopted.

Yeas 83; Nay 1.

Yeas:

Mr. Speaker	Berryman (W)	Brassell	Collins (W)
Agee	Blanton	Cherner	Cook (Coffee)
Bassett	Bowers	Collier	Cook (Jefferson)
Beck	Brannan	Collins (C)	Crawford

Culver	Hill	McDonald	Shumate
Dobbs	Hobbie	McElhaney	Slate
Doss	Holladay	McLain	Smith
Downing	Holman	Meade	Snell
Drake	Jackson (F)	Meeks	Springer
Ellis	Jackson (T)	Melton	Starnes
Fine	Jones	Merrill	Steagall
Foshee	Kilgore	Money	Stembridge
Gafford	Laxson	Nettles	Stubbs
Garrett	Lemley	Neville	Tuck
Graham	Lybrand	Owen (Baldwin)	Waggoner
Grayson	Lyons	Paulk	Weeks
Hain	Malone	Pearson	Williams
Harper	Manley	Pennington	Wood
Harris	Marr	Perloff	Yeilding
Haygood	Mays	Pruitt	Young
Headley	McCorquodale	Sessions	—83

Nay: Mr. Dill. —1

And the bill, H. 889, as thus amended:

H. 889. To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted at the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1963 of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Paulk
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Pruitt
Beck	Gafford	Malone	Sessions
Berryman (W)	Garrett	Manley	Shumate
Blanton	Graham	Marr	Slate
Bowers	Grayson	Mays	Smith
Brannan	Hain	McCorquodale	Snell
Brassell	Hardin	McDonald	Springer
Cameron	Harper	McElhaney	Starnes
Cherner	Harris	McLain	Steagall
Collier	Haygood	Meade	Stembridge
Collins (C)	Headley	Meeks	Stubbs
Collins (W)	Hill	Melton	Tuck
Cook (Jefferson)	Hobbie	Merrill	Waggoner
Crawford	House	Money	Weeks
Culver	Jackson (F)	Nettles	Williams
Dill	Jackson (T)	Neville	Wood
Dobbs	Jones	Owen (Baldwin)	Yeilding
Doss	Kilgore	Owens (W)	Young
Downing			—85

And the bill:

H. 861. To amend Act No. 126 adopted at the Second Special Session of 1959 of the Legislature of Alabama so as to amend Section 9

thereof specifying certain changes in the details pertaining to the bonds issued under the provisions of the said act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bank	Drake	Jackson (T)	Paulk
Bassett	Ellis	Jones	Pearson
Beck	Fine	Kilgore	Pruitt
Berryman (W)	Foshee	Laxson	Sessions
Blanton	Gafford	Lemley	Shumate
Bowers	Garrett	Lybrand	Smith
Brannan	Graham	Lyons	Snell
Brassell	Grayson	Malone	Springer
Brown	Hain	Manley	Starnes
Cherner	Hardin	Mays	Steagall
Collier	Harper	McElhaney	Stubbs
Collins (C)	Harris	Meade	Tuck
Collins (W)	Haygood	Meeks	Waggoner
Cook (Coffee)	Headley	Melton	Weeks
Cook (Jefferson)	Hill	Merrill	Williams
Crawford	Hobbie	Money	Wood
Culver	Holladay	Nettles	Yeilding
Dobbs	Holman	Neville	Young

—80

And the bill:

H. 862. To amend Act No. 243 adopted at the Special Session of 1965 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued by Alabama Public School and College Authority under the provisions of the said act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Crawford	Harper	Malone
Agee	Culver	Harris	Manley
Bank	Dobbs	Haygood	Marr
Bassett	Doss	Headley	Mays
Beck	Downing	Hill	McCorquodale
Berryman (W)	Drake	Hobbie	McDonald
Blanton	Ellis	Holladay	McElhaney
Bowers	Fine	Holman	Meade
Brannan	Foshee	House	Meeks
Brassell	Gafford	Jackson (F)	Melton
Brown	Garrett	Jackson (T)	Merrill
Cherner	Gloor	Jones	Money
Collier	Graham	Kilgore	Nettles
Collins (C)	Grainger	Laxson	Neville
Collins (W)	Grayson	Lemley	Owen (Baldwin)
Cook (Coffee)	Hain	Lybrand	Owens (W)
Cook (Jefferson)	Hardin	Lyons	Paulk

Pearson	Smith	Stembridge	Weeks
Pruitt	Snell	Stubbs	Williams
Sessions	Springer	Tuck	Wood
Shumate	Starnes	Waggoner	Yeilding
Slate	Steagall	Watkins	Young

—88

And the bill:

H. 23. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

Was taken up.

Mr. McCorquodale offered the following amendment to the bill, H. 23:

Strike out Section 21 of the bill in its entirety and insert in lieu thereof the following:

Section 21. Prohibition Against Free Use of Bridge Project. Exceptions. Except as provided in subsection (d) of Section 12 of this act, the authority shall permit no free use of any bridge project with respect to which there is an outstanding pledge of revenues for payment of bonds.

Also, after Section 22, re-number the sections in the proper numerical order.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Drake	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Gafford	Manley	Shumate
Bolton	Gloor	Marr	Slate
Bowers	Graham	Mays	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Hain	McDonald	Springer
Brown	Hardin	McElhaney	Starnes
Cherner	Harper	McLain	Steagall
Collier	Harris	Meade	Stembridge
Collins (C)	Headley	Meeks	Stubbs
Collins (W)	Hill	Melton	Tuck
Cook (Jefferson)	Hobbie	Merrill	Waggoner
Crane	Holman	Money	Weeks
Crawford	House	Nettles	Williams
Culver	Jackson (F)	Neville	Wood
Dill	Jackson (T)	Owen (Baldwin)	Yeilding
Dobbs	Jones	Owens (W)	Young
Doss	Kilgore	Paulk	

—87

UNANIMOUS CONSENT GRANTED TO CO-SPONSOR

Unanimous consent was granted to Messrs. Garrett and Grayson to be added as co-sponsors of the bill, H. 23.

And the bill, H. 23, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Messrs.:	Edington	Laxson	Perloff
Agee	Ellis	Lybrand	Pruitt
Bank	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Gafford	Manley	Shumate
Bolton	Graham	Marr	Slate
Bowers	Grainger	Mays	Smith
Brannan	Hain	McCorquodale	Snell
Brassell	Hardin	McDonald	Springer
Brown	Harper	McElhaney	Starnes
Collier	Harris	Meade	Steagall
Collins (C)	Haygood	Meeks	Stembridge
Collins (W)	Headley	Melton	Stubbs
Cook (Jefferson)	Hill	Merrill	Tuck
Crawford	Hobbie	Money	Waggoner
Culver	Holman	Nettles	Watkins
Dill	House	Neville	Williams
Dobbs	Jackson (F)	Owen (Baldwin)	Wood
Doss	Jackson (T)	Owens (W)	Yeilding
Downing	Jones	Pearson	Young
Drake			—80

MOTION TO ADJOURN LOST

The motion of Mr. Grainger that the House adjourn until 10 o'clock A. M., Thursday, July 24, 1969, was lost.

Yeas 25; Nays 62.

Yeas:

Messrs.:	Garrett	Meade	Pruitt
Bank	Hain	Melton	Slate
Beck	Harris	Merrill	Steagall
Brown	Holladay	Money	Tuck
Dill	Jackson (F)	Paulk	Watkins
Doss	Malone	Perloff	Weeks
Foshee	Manley		—25

Nays:

Mr. Speaker	Cook (Coffee)	Fine	Hobbie
Agee	Cook (Jefferson)	Gafford	Holman
Bassett	Crawford	Graham	House
Berryman (W)	Culver	Grainger	Jackson (T)
Bolton	Dobbs	Grayson	Jones
Brannan	Downing	Hardin	Kilgore
Brassell	Drake	Harper	Laxson
Burgess	Edington	Headley	Lemley
Collins (C)	Ellis	Hill	Lybrand

Lyons	Meeks	Sessions	Stubbs
Marr	Nettles	Shumate	Waggoner
Mays	Neville	Snell	Williams
McCorquodale	Owen (Baldwin)	Springer	Wood
McDonald	Owens (W)	Starnes	Yeilding
McElhaney	Pearson	Stembridge	Young
McLain	Robertson		

—62

And the bill:

H. 168. To propose and provide for the submission of an amendment to the Constitution of Alabama to amend Amendment CCLXIX to said constitution proposed by Act No. 274, H. 297, Regular Session 1967 authorizing counties and municipalities to levy and collect additional property taxes for public library purposes, so as to provide further for the rate of the tax and the manner in which elections under this amendment shall be called.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Paulk
Agee	Ellis	Laxson	Pearson
Bank	Fine	Lemley	Perloff
Bassett	Foshee	Lybrand	Pruitt
Beck	Gafford	Lyons	Robertson
Berryman (W)	Garrett	Malone	Sessions
Blanton	Gloor	Manley	Shumate
Bolton	Grainger	Marr	Slate
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Snell
Brown	Hardin	McDonald	Springer
Burgess	Harper	McElhaney	Starnes
Collier	Harris	Meade	Stembridge
Collins (C)	Headley	Meeks	Stubbs
Crawford	Hill	Melton	Tuck
Culver	Hobbie	Merrill	Weeks
Dobbs	Holman	Nettles	Williams
Doss	House	Neville	Wood
Downing	Jackson (F)	Owen (Baldwin)	Yeilding
Drake	Jones	Owens (W)	Young

—80

H. 342 RESUMED FROM SIXTEENTH LEGISLATIVE DAY

And the bill:

H. 342. To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties.

Was again taken up for consideration, together with amendments.

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until 10 o'clock A. M., Thursday, July 24, 1969, was lost.

Yeas 23; Nays 57.

Yeas:

Messrs.:	Doss	Manley	Slate
Beck	Garrett	Mathews	Stembridge
Brannan	Harper	Meade	Tuck
Crane	Harris	Melton	Watkins
Crawford	Headley	Money	Weeks
Dill	Kilgore	Pruitt	Wood

—23

Nays:

Mr. Speaker	Edington	Laxson	Owen (Baldwin)
Agee	Ellis	Lemley	Paulk
Bank	Fine	Lybrand	Pearson
Bassett	Gafford	Lyons	Pennington
Bolton	Grainger	Malone	Perloff
Bowers	Grayson	Marr	Robertson
Brown	Hain	Mays	Sessions
Burgess	Hardin	McCorquodale	Shumate
Collins (C)	Hill	McElhaney	Smith
Collins (W)	Hobbie	McLain	Springer
Cook (Coffee)	Holman	Meeks	Stubbs
Cook (Jefferson)	House	Merrill	Waggoner
Dobbs	Jackson (T)	Nettles	Williams
Downing	Jones	Neville	Young
Drake			

—57

Mr. Graham offered the following amendment to the bill, H. 342, as amended:

In Section 4, as amended, strike out the following words and figures:

The provisions of this Act shall not apply in counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 54, Nays 3.

Yeas:

Mr. Speaker	Edington	Laxson	Nettles
Adwell	Ellis	Lemley	Pearson
Bank	Fine	Lybrand	Pennington
Bassett	Gloor	Malone	Perloff
Bolton	Grainger	Marr	Robertson
Brown	Hardin	Mays	Sessions
Cherner	Harris	McDonald	Slate
Collins (W)	Haygood	McElhaney	Springer
Cook (Jefferson)	Hill	McLain	Starnes
Crawford	Hobbie	Meeks	Stembridge
Culver	Holman	Melton	Waggoner
Dill	House	Merrill	Weeks
Doss	Jackson (T)	Money	Williams
Downing	Kilgore		

—54

Nays: Messrs. Collins (C), Gafford and Jackson (F). —3

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a new Conference Committee on the disagreement of the two Houses on the Conference Committee Report on the Bill, S. B. 182.

The President and Presiding Officer of the Senate appointed as Conferees on part of the Senate Messrs. Turner, Pierce and Giles.

McDOWELL LEE,
Secretary.

H. 342 RESUMED

Mr. Young offered Amendment #1 to the bill, H. 342, said amendment being as follows:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 10,800 nor more than 12,000, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 48; Nays 4.

Yeas:

Mr. Speaker	Cook (Coffee)	Hain	Money
Adwell	Crawford	Hardin	Neville
Bassett	Culver	Harris	Pennington
Beck	Doss	Hobbie	Pruitt
Berryman (W)	Downing	Jackson (F)	Robertson
Blanton	Drake	Jackson (T)	Sessions
Bolton	Edington	Laxson	Slate
Brannan	Foshee	Lybrand	Springer
Burgess	Garrett	Malone	Stembridge
Cherner	Gloor	Marr	Stubbs
Collier	Grainger	Melton	Williams
Collins (W)	Grayson	Merrill	Young

—48

Nays:

Messrs.:	Dill	Lemley	Perloff
Collins (C)			

—4

Mr. Young offered Amendment #2 to the bill, H. 342, as amended, said amendment being as follows:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classfied by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 19,000 nor more than 19,500, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 42; Nays 2.

Yeas:

Mr. Speaker	Crawford	Jackson (F)	Owens (W)
Bassett	Doss	Laxson	Pearson
Berryman (W)	Downing	Lybrand	Pennington
Blanton	Edington	Malone	Perloff
Bolton	Foshee	Marr	Pruitt
Brannan	Garrett	Mays	Sessions
Burgess	Grainger	Melton	Slate
Collier	Grayson	Merrill	Springer
Collins (C)	Hain	Money	Williams
Collins (W)	Hardin	Owen (Baldwin)	Young
Cook (Coffee)	Hobbie		

—42

Nays: Messrs. Dill and Hill. —2

Mr. Collier offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 28,000 nor more than 30,575 according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 38; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Hill	Money
Bassett	Crawford	Jackson (F)	Owen (Baldwin)
Berryman (W)	Doss	Laxson	Owens (W)
Blanton	Downing	Lybrand	Pennington
Bolton	Foshee	Malone	Pruitt
Brannan	Garrett	Marr	Sessions
Burgess	Grainger	Mays	Slate
Cherner	Grayson	Melton	Williams
Collier	Hain	Merrill	Young
Collins (C)	Hardin		

—38

Mr. Owens (W) offered the following amendment to the bill, H. 342, as amended:

Amend House Bill 342 by exempting counties with a population between 14,300 to 14,600, and 19,500 to 20,000.

And the amendment was adopted.

Yeas 37; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Berryman (W)	Doss	Laxson	Pearson
Blanton	Downing	Malone	Pennington
Bolton	Foshee	Marr	Pruitt
Brannan	Garrett	Mays	Sessions
Burgess	Grainger	Melton	Shumate
Collier	Grayson	Merrill	Slate
Collins (C)	Hain	Money	Snell
Collins (W)	Hardin	Owen (Baldwin)	Young
Crawford			

—37

Mr. Snell offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 37,000 nor more than 41,000, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 34; Nays 0.

Yeas:

Mr. Speaker	Doss	Malone	Pearson
Berryman (W)	Downing	Marr	Pennington
Blanton	Foshee	Mays	Pruitt
Bolton	Garrett	Melton	Sessions
Brannan	Grainger	Merrill	Shumate
Burgess	Hain	Money	Slate
Collier	Hardin	Owen (Baldwin)	Snell
Collins (W)	Jackson (F)	Owens (W)	Young
Dobbs	Laxson		

—34

Mr. Fine offered Amendment #1 to the bill, H. 342, as amended, said amendment being as follows:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 15,500 nor more than 16,300, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Jackson (F)	Pearson
Beck	Dobbs	Laxson	Pennington
Berryman (W)	Doss	Malone	Pruitt
Blanton	Downing	Marr	Sessions
Bolton	Drake	Mays	Shumate
Brannan	Foshee	Melton	Slate
Brassell	Garrett	Merrill	Snell
Burgess	Grainger	Money	Stembridge
Collier	Grayson	Owen (Baldwin)	Yeilding
Collins (C)	Hain	Owens (W)	Young

—40

Mr. Fine offered Amendment #2 to the bill, H. 342, as amended, said amendment being as follows:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 40; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington
Berryman (W)	Doss	Malone	Perloff
Blanton	Downing	Marr	Robertson
Bolton	Foshee	Mays	Sessions
Brannan	Garrett	Melton	Shumate
Brassell	Grainger	Merrill	Slate
Burgess	Grayson	Money	Smith
Collier	Hain	Owen (Baldwin)	Snell
Collins (C)	Hardin	Owens (W)	Yeilding
Collins (W)	Jackson (F)	Pearson	Young

—40

Mr. Stubbs offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 44; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Hardin	Pearson
Bassett	Cook (Coffee)	Jackson (F)	Pennington
Beck	Dobbs	Laxson	Perloff
Berryman (W)	Doss	Malone	Sessions
Blanton	Downing	Marr	Shumate
Bolton	Fine	Mays	Slate
Brannan	Foshee	McCorquodale	Smith
Brassell	Garrett	Melton	Snell
Burgess	Grainger	Merrill	Stembridge
Collier	Grayson	Money	Yeilding
Collins (C)	Hain	Owens (W)	Young

—44

Mr. Agee offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 15,200 nor more than 15,400, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 43; Nay 1.

Yeas:

Mr. Speaker	Cook (Coffee)	Laxson	Pennington
Agee	Dobbs	Malone	Perloff
Beck	Doss	Marr	Sessions
Berryman (W)	Downing	Mays	Shumate
Blanton	Fine	McCorquodale	Slate
Brannan	Foshee	Melton	Snell
Brassell	Garrett	Merrill	Stembridge
Burgess	Grainger	Money	Stubbs
Collier	Hain	Owen (Baldwin)	Yeilding
Collins (C)	Hardin	Owens (W)	Young
Collins (W)	Jackson (F)	Pearson	

—43

Nay: Mr. Hill. —1

Mr. Haygood offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 60,500 nor more than 65,000, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 40; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pearson
Beck	Doss	Malone	Pennington
Berryman (W)	Downing	Marr	Perloff
Bolton	Fine	Mays	Shumate
Brannan	Foshee	McCorquodale	Slate
Brassell	Garrett	Melton	Snell
Burgess	Grainger	Merrill	Stembridge
Collier	Hain	Money	Stubbs
Collins (W)	Haygood	Owen (Baldwin)	Yeilding
Cook (Coffee)	Jackson (F)	Owens (W)	Young

—40

Nay: Mr. Hill. —1

Mr. Drake offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Hill	Pennington
Bassett	Dobbs	Jackson (F)	Perloff
Beck	Doss	Malone	Sessions
Berryman (W)	Downing	Marr	Shumate
Blanton	Drake	Mays	Slate
Brannan	Foshee	Melton	Snell
Brassell	Garrett	Merrill	Stubbs
Burgess	Grainger	Money	Williams
Collier	Grayson	Owen (Baldwin)	Yeilding
Collins (C)	Hain	Owens (W)	Young
Collins (W)	Hardin	Pearson	

—43

Mr. Headley offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 25,000 nor more than 25,700, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 43; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Jackson (F)	Pennington
Adwell	Collins (W)	Laxson	Perloff
Beck	Cook (Coffee)	Malone	Sessions
Berryman (W)	Dobbs	Marr	Shumate
Blanton	Downing	Mays	Snell
Bolton	Fine	Melton	Stembridge
Brannan	Foshee	Merrill	Stubbs
Brassell	Garrett	Money	Williams
Brown	Grainger	Owen (Baldwin)	Yeilding
Burgess	Grayson	Owens (W)	Young
Collier	Hain	Pearson	

—43

Mr. Starnes offered the following amendment to the bill, H. 342, as amended:

In the title, strike out the period at the end thereof and insert in lieu thereof the following: ; and to exempt certain counties, classified by population, from the operation of the Act.

Also, immediately after Section 3, insert a new section, to be numbered 4 and renumber the remaining section accordingly, such new section to read as follows:

Section 4. The provisions of this Act shall not apply in counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Owens (W)
Agee	Downing	Jones	Pearson
Bassett	Drake	Laxson	Pennington
Beck	Fine	Malone	Perloff
Berryman (W)	Foshee	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Graham	Mays	Snell
Brassell	Grainger	Melton	Springer
Burgess	Grayson	Merrill	Stembridge
Collier	Hain	Money	Stubbs
Collins (C)	Hardin	Neville	Yeilding
Collins (W)	Haygood	Owen (Baldwin)	Young
Cook (Coffee)	Hobbie		

—50

Messrs. Doss and Slate offered the following amendment to the bill, H. 342, as amended:

Amend House Bill No. 342 by inserting the following at the end of Section 4: "The provisions of this Act shall not apply in counties having populations of not less than 60,000 nor more than 61,000 according to the most recent federal decennial census."

And the amendment was adopted.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Doss	Laxson	Pearson
Agee	Downing	Lybrand	Pennington
Bassett	Drake	Malone	Perloff
Beck	Fine	Marr	Sessions
Berryman (W)	Foshee	Mathews	Shumate
Brannan	Garrett	Mays	Slate
Brassell	Grainger	McElhaney	Smith
Burgess	Grayson	Melton	Snell
Collier	Hain	Merrill	Springer
Collins (C)	Hardin	Money	Stubbs
Collins (W)	Haygood	Neville	Williams
Cook (Coffee)	Hobbie	Owen (Baldwin)	Yeilding
Crawford	Jackson (F)	Owens (W)	Young
Dobbs	Jones		

—54

On motion of Mr. Doss, the rules were suspended for him to introduce a resolution requesting an opinion from the Supreme Court on the bill, H. 342. And the following resolution was introduced:

By Mr. Doss:

H. R. 88. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That the Justices of the Supreme Court, or a majority of them, are hereby respectively requested to give this body their written opinions on the following important constitutional questions which have arisen in connection with the pending bill, H. B. 342 and the amendments thereto. True copies of said bill and amendments thereto are attached hereto and made a part hereof by reference:

Question 1. Would the act proposed by the bill constitute a delegation of legislative power in violation of Section 44 of the Constitution?

Question 2. Would the act be void because of uncertainty in that it specifies, "If a majority of the votes cast in the election favor the sale and distribution of alcoholic beverages, then such sales shall thereafter be legal and lawful in that city, irrespective of the previous dry status of the county; and the governing body of that city shall notwithstanding any public, special, local or private act whenever passed or the results of any previous or subsequent county election to the contrary, issue appropriate licenses to all qualified applicants. If a majority of the votes cast at such election shall be against the sale of alcoholic beverages then such sales shall be unlawful and illegal unless authorized by a subsequent county-wide or subsequent municipal election." (Emphasis supplied)

Question 3. Do the amendments to said bill constitute such designations as to convert this bill into a bill proposing a local law which will be invalid unless notice of intention to introduce it is advertised as required by Constitution of 1901, Section 104, last paragraph thereof, and Section 106?

Question 4. Is H. B. 342 as amended a general bill in its application within the meaning of the Constitution of the State of Alabama as amended?

RESOLVED FURTHER That the Clerk of the House be directed to transmit forthwith four true copies of this resolution to the Clerk of the Supreme Court of Alabama.

And the resolution was adopted.

Yeas 50; Nays 30.

Yeas:

Mr. Speaker	Ellis	Lemley	Robertson
Adwell	Fine	Manley	Shumate
Beck	Foshee	Marr	Slate
Blanton	Garrett	Mays	Smith
Bowers	Grainger	McDonald	Snell
Brassell	Hain	Meade	Starnes
Brown	Harper	Melton	Steagall
Cherner	Headley	Money	Stembridge
Crane	Holladay	Neville	Tuck
Crawford	Holman	Pennington	Watkins
Dill	Jackson (F)	Perloff	Wood
Dobbs	Jackson (T)	Pruitt	Yeilding
Doss	Laxson		—50

Nays:

Messrs.:	Cook (Jefferson)	Hill	McLain
Bank	Culver	Hobbie	Merrill
Bassett	Downing	Jones	Nettles
Bolton	Edington	Lybrand	Pearson
Burgess	Graham	Lyons	Sessions
Cameron	Grayson	Malone	Weeks
Collins (C)	Hardin	Mathews	Williams
Cook (Coffee)	Harris	McElhaney	—30

Mr. Doss moved to carry over the bill, H. 342, as amended, to the twenty-sixth legislative day.

MOTION TO TABLE CARRIED

On motion of Mr. McElhaney, the motion of Mr. Doss to carry over was tabled.

Yeas 55; Nays 29.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Bank	Edington	Kilgore	Owens (W)
Bassett	Fine	Lybrand	Pearson
Beck	Gafford	Lyons	Pennington
Blanton	Graham	Malone	Sessions
Bolton	Grayson	Mathews	Snell
Brassell	Hain	Mays	Stembridge
Burgess	Hardin	McDonald	Stubbs
Cameron	Harris	McElhaney	Tuck
Collins (C)	Headley	McLain	Watkins
Cook (Coffee)	Hill	Meade	Weeks
Cook (Jefferson)	Hobbie	Meeks	Williams
Culver	Holman	Merrill	Wood
Dill	House	Nettles	—55

Nays:

Messrs.:	Crane	Drake	Harper
Agee	Crawford	Ellis	Holladay
Brown	Dobbs	Garrett	Jones
Collier	Doss	Grainger	Laxson

Manley	Money	Shumate	Steagall
Marr	Neville	Slate	Yeilding
McCorquodale	Pruitt	Starnes	Young
Melton	Robertson		

—29

And the bill, H. 342, as thus amended:

To provide for city elections on legality of sale and distribution of alcoholic beverages in dry counties; and to exempt certain counties, classified by population, from the operation of the Act.

Was read a third time at length, and lost.

Yeas 39; Nays 45.

Yeas:

Messrs.:	Culver	Holman	Nettles
Bank	Dill	Kilgore	Pearson
Bassett	Downing	Lybrand	Perloff
Blanton	Edington	Lyons	Sessions
Brassell	Graham	Malone	Snell
Cameron	Grayson	Mathews	Stembridge
Collins (C)	Hardin	Mays	Watkins
Collins (W)	Harris	McLain	Weeks
Cook (Coffee)	Hill	Meeks	Williams
Crawford	Hobbie	Merrill	Wood

—39

Nays:

Mr. Speaker	Ellis	Manley	Pennington
Agee	Fine	Marr	Pruitt
Beck	Gafford	McCorquodale	Shumate
Berryman (W)	Garrett	McDonald	Slate
Bowers	Grainger	McElhaney	Smith
Burgess	Hain	Meade	Starnes
Collier	Headley	Melton	Steagall
Cook (Jefferson)	Holladay	Money	Stubbs
Crane	Jackson (F)	Neville	Tuck
Dobbs	Jackson (T)	Owen (Baldwin)	Yeilding
Doss	Jones	Owens (W)	Young
Drake			

—45

MOTION TO ADJOURN LOST

The motion of Mr. Crane that the House adjourn until 10 o'clock A. M., Thursday, July 24, 1969, was lost.

Yeas 24; Nays 69.

Yeas:

Messrs.:	Hain	Laxson	Steagall
Beck	Harper	Mathews	Stembridge
Collier	Harris	Meade	Tuck
Crane	Headley	Melton	Watkins
Crawford	Holladay	Money	Weeks
Dill	Kilgore	Pearson	Yeilding
Ellis			

—24

Nays:

Mr. Speaker	Dobbs	Jackson (T)	Owen (Baldwin)
Adwell	Doss	Jones	Owens (W)
Agee	Downing	Lemley	Pennington
Bank	Edington	Lybrand	Perloff
Bassett	Fine	Lyons	Robertson
Berryman (W)	Foshee	Malone	Sessions
Bolton	Gafford	Manley	Shumate
Bowers	Garrett	Marr	Slate
Brassell	Graham	Mays	Smith
Brown	Grainger	McCorquodale	Snell
Burgess	Grayson	McDonald	Springer
Cameron	Hardin	McElhaney	Starnes
Cherner	Hill	McLain	Stubbs
Collins (C)	Hobbie	Meeks	Waggoner
Collins (W)	Holman	Merrill	Williams
Cook (Coffee)	House	Nettles	Wood
Cook (Jefferson)	Jackson (F)	Neville	Young
Culver			

—69

And the bill:

S. 126. To levy a license fee on Certified Public Accountants engaged in the practice of Public Accounting in the State of Alabama and to provide for the disposition of funds.

Was taken up.

Mrs. Collins (C) offered the following amendment to the bill, S. 126:

Amend Section 1 of House Bill No. 27 as follows:

Eliminate entire Section 1 and substitute in lieu thereof the following:

"Section 1. In lieu of any other privilege license fees levied under the revenue laws of the State of Alabama, each person who holds a certificate as a Certified Public Accountant and who is a resident of the State of Alabama and who is engaged in the practice of Public Accounting in the State of Alabama shall pay an annual license fee of Twenty-Five Dollars ($25.00), but no license fee shall be paid to the county. Such license shall be obtained from the Probate Judge or licensing agency in the County where the business of a Certified Public Accountant is located, and shall be due and delinquent as provided by Section 851, Title 51, Code of Alabama, 1940. Three-Fifths of the monies paid into the treasury for license under this act shall be deposited in the State Treasury to the credit of the Alabama State Board of Public Accountancy and shall constitute a separate fund to be disbursed as provided in Section 2 hereof, and two-fifths shall be paid into the State General Fund."

On motion of Mr. McCorquodale, the amendment offered by Mrs. Collins (C) was tabled.

Yeas 71; Nays 11.

Yeas:

Mr. Speaker	Collier	Doss	Gafford
Agee	Cook (Coffee)	Downing	Graham
Bassett	Cook (Jefferson)	Drake	Grainger
Brannan	Crane	Ellis	Grayson
Cameron	Crawford	Fine	Hain
Cherner	Dobbs	Foshee	Hardin

Harper	Kilgore	Money	Starnes	
Harris	Laxson	Nettles	Steagall	
Haygood	Lemley	Owen (Baldwin)	Stembridge	
Headley	Lyons	Owens (W)	Stubbs	
Hill	Malone	Pearson	Tuck	
Hobbie	Manley	Perloff	Waggoner	
Holladay	Mays	Pruitt	Watkins	
Holman	McCorquodale	Sessions	Weeks	
House	McElhaney	Slate	Williams	
Jackson (F)	Meeks	Smith	Wood	
Jackson (T)	Melton	Snell	Young	
Jones	Merrill	Springer		—71

Nays:

Messrs.:	Burgess	Edington	Neville	
Berryman (W)	Collins (W)	Garrett	Robertson	
Brown	Culver	Marr	Shumate	
				—11

And the bill, S. 126, was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Perloff	
Agee	Drake	Kilgore	Pruitt	
Bank	Edington	Laxson	Robertson	
Bassett	Ellis	Lemley	Sessions	
Beck	Fine	Lybrand	Shumate	
Blanton	Foshee	Lyons	Slate	
Brannan	Gafford	Malone	Smith	
Brown	Garrett	Manley	Snell	
Burgess	Graham	Marr	Springer	
Cameron	Grainger	Mays	Starnes	
Cherner	Grayson	McCorquodale	Steagall	
Collier	Hain	McDonald	Stembridge	
Collins (C)	Hardin	McElhaney	Stubbs	
Collins (W)	Harper	Meeks	Tuck	
Cook (Coffee)	Harris	Melton	Waggoner	
Cook (Jefferson)	Haygood	Merrill	Watkins	
Crane	Headley	Money	Weeks	
Crawford	Hill	Nettles	Williams	
Culver	Hobbie	Neville	Wood	
Dill	Holman	Owen (Baldwin)	Yeilding	
Dobbs	House	Owens (W)	Young	
Doss	Jackson (F)	Pearson		—87

UNANIMOUS CONSENT GRANTED

At the request of Mr. McLain, unanimous consent was granted that the Journal show had he been in the House chambers he would have voted Yea on the bills, H. 778 and H. 779.

RESOLUTION

The following resolution was introduced:

By Mr. Merrill:

H. J. R. 89. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That when the House adjourns

today they adjourn to meet again on Thursday, July 24, 1969, and when the Senate adjourns today they adjourn to meet again on Wednesday, July 23, 1969, and when they adjourn on Wednesday, July 23, 1969, they adjourn to meet again on Thursday, July 24, 1969.

BE IT FURTHER RESOLVED, That when the two Houses adjourn on Thursday, July 24, 1969, they adjourn to meet again on Tuesday, July 29, 1969.

The motion of Mr. Merrill to suspend the rules and adopt the resolution, H. J. R. 89, was lost.

Yeas 34; Nays 51.

Yeas:

Mr. Speaker	Culver	Mays	Pruitt
Agee	Ellis	McCorquodale	Shumate
Brannan	Fine	Melton	Snell
Brown	Headley	Merrill	Starnes
Cameron	Hill	Money	Steagall
Collins (C)	Jones	Neville	Tuck
Collins (W)	Lybrand	Owen (Baldwin)	Watkins
Cook (Coffee)	Lyons	Paulk	Williams
Crane	Manley		—34

Nays:

Messrs.:	Edington	Holman	Pearson
Bank	Foshee	House	Perloff
Bassett	Gafford	Jackson (F)	Robertson
Beck	Garrett	Kilgore	Sessions
Berryman (W)	Graham	Laxson	Slate
Burgess	Grainger	Malone	Smith
Cherner	Grayson	Marr	Springer
Collier	Hardin	Mathews	Stembridge
Crawford	Harper	McElhaney	Stubbs
Dobbs	Harris	McLain	Weeks
Doss	Haygood	Meeks	Wood
Downing	Hobbie	Nettles	Yeilding
Drake	Holladay	Owens (W)	Young
			—51

The resolution was read and referred to the Standing Committee on Rules.

Mr. Hain moved to suspend the rules and allow the Standing Committee on Public Welfare to report bills out of Committee.

MOTION TO TABLE LOST

The motion of Mr. Blanton to table the motion of Mr. Hain was lost.

Yeas 23; Nays 43.

Yeas:

Messrs.:	Ellis	Holman	Nettles
Bassett	Gafford	Jackson (T)	Neville
Brown	Garrett	Malone	Slate
Cherner	Gloor	Mathews	Snell
Collins (C)	Hardin	McElhaney	Weeks
Edington	Haygood	Meeks	Yeilding
			—23

Nays:

Mr. Speaker	Fine	Laxson	Robertson
Agee	Foshee	Lemley	Sessions
Beck	Grainger	Lyons	Springer
Burgess	Grayson	McLain	Starnes
Cameron	Hain	Meade	Steagall
Cook (Coffee)	Harris	Melton	Stembridge
Crawford	Headley	Merrill	Stubbs
Dobbs	Hobbie	Money	Watkins
Doss	Jackson (F)	Owens (W)	Williams
Downing	Jones	Paulk	Young
Drake	Kilgore	Pearson	

—43

And the motion of Mr. Hain to suspend the rules and let the Standing Committee on Public Welfare report bills out of Committee was lost.

Yeas 35; Nays 36.

Yeas:

Mr. Speaker	Crawford	Headley	Robertson
Beck	Dobbs	Hobbie	Snell
Brannan	Doss	Jackson (F)	Springer
Brassell	Downing	Kilgore	Starnes
Burgess	Drake	Laxson	Steagall
Cameron	Fine	Marr	Stembridge
Collier	Foshee	Melton	Williams
Collins (W)	Hain	Paulk	Wood
Cook (Coffee)	Harris	Perloff	

—35

Nays:

Messrs.:	Grayson	Manley	Pearson
Bassett	Hardin	Mays	Pruitt
Brown	Holman	McElhaney	Sessions
Cherner	House	McLain	Slate
Collins (C)	Jackson (T)	Meeks	Stubbs
Crane	Jones	Money	Tuck
Edington	Lemley	Nettles	Watkins
Gafford	Lybrand	Neville	Weeks
Garrett	Malone	Owens (W)	Yeilding
Gloor			

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:50 P.M. On July 22, 1969.

H. 431

H. 321

H. 322

H. 687

H. 689

H. 555

H. 669

H. 756

H. 701

H. 595

H. 702

H. 766

H. 26

H. 199

H. 763

H. 769

H. 773

H. 786

Delivered to the Secretary of State at 4:03 P.M. On July 22, 1969.

H. 787

JOHN W. PEMBERTON,
Clerk.

MOTION TO ADJOURN LOST

The motion of Mr. Holladay that the House adjourn until 10 o'clock Thursday, July 24, 1969, was lost.

Yeas 46; Nays 46.

Yeas:

Mr. Speaker	Foshee	Mathews	Pruitt
Bank	Garrett	Mays	Robertson
Beck	Graham	McLain	Slate
Blanton	Harper	Melton	Snell
Brannan	Harris	Merrill	Starnes
Brassell	Headley	Money	Steagall
Cook (Coffee)	Holladay	Neville	Tuck
Crane	Jackson (F)	Owen (Baldwin)	Watkins
Crawford	Laxson	Paulk	Weeks
Doss	Lyons	Pearson	Williams
Drake	Malone	Perloff	Yeilding
Ellis	Manley		—46

Nays:

Messrs.:	Cook (Jefferson)	Hill	Meeks
Adwell	Culver	Hobbie	Nettles
Agee	Dobbs	Holman	Sessions
Bassett	Downing	Jackson (T)	Smith
Berryman (W)	Edington	Jones	Springer
Bolton	Fine	Kilgore	Stembridge
Brown	Gafford	Lemley	Stubbs
Burgess	Grainger	Lybrand	Turnham
Cameron	Grayson	Marr	Waggoner
Cherner	Hain	McCorquodale	Wood
Collins (C)	Hardin	McDonald	Young
Collins (W)	Haygood	McElhaney	—46

ADJOURNMENT

On motion of Mr. Robertson, the House adjourned until 11 o'clock A. M., Thursday, July 24, 1969.

Yeas 52; Nays 41.

Yeas:

Mr. Speaker	Doss	Malone	Perloff
Bank	Drake	Manley	Pruitt
Beck	Ellis	Mathews	Robertson
Berryman (W)	Garrett	Mays	Slate
Blanton	Graham	McDonald	Snell
Brannan	Harper	Meade	Starnes
Brassell	Harris	Melton	Steagall
Brown	Headley	Merrill	Stembridge
Collier	Holladay	Money	Tuck
Cook (Coffee)	Jackson (F)	Neville	Watkins
Crane	Kilgore	Owen (Baldwin)	Weeks
Crawford	Laxson	Paulk	Williams
Dill	Lyons	Pearson	Yeilding

—52

Nays:

Messrs.:	Dobbs	Hill	Meeks
Adwell	Downing	Hobbie	Nettles
Agee	Edington	Holman	Owens (W)
Bassett	Fine	Jackson (T)	Sessions
Bolton	Foshee	Jones	Springer
Burgess	Gafford	Lemley	Stubbs
Cameron	Grainger	Lybrand	Turnham
Cherner	Grayson	Marr	Waggoner
Collins (C)	Hain	McElhaney	Wood
Collins (W)	Hardin	McLain	Young
Cook (Jefferson)	Haygood		

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